

1. Agenda

Documents:

[CITY COUNCIL AGENDA 11 26 19.PDF](#)

2. Minutes

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[CITY COUNCIL MINUTES 11 26 19.PDF](#)

3. Meeting Materials

Documents:

[COUNCIL PACKET 11 26 19.PDF](#)

**COUNCIL AGENDA
CITY OF CARTHAGE, MISSOURI
TUESDAY, NOVEMBER 26, 2019
6:30 P.M. – COUNCIL CHAMBERS**

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
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
9. Reports from Special Committees and Board Liaisons
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
14. Public Hearings
15. Old Business

1. **C.B. 19-41** – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Jasper County Circuit Clerk to lease non-specific/designated storage Space located in the basement of City Hall to be used as storage space for storing personal property consisting of office furniture for 3 Judges, 1 Family Court Commissioner and the Circuit Court Clerk during the Jasper County Courts Building renovation project, not to exceed eighteen (18) months. (Budget Ways & Means)
2. **C.B. 19-42** – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and the Missouri Highway and Transportation Commission providing for a Municipal and Cost Apportionment Agreement for improvements consisting of public improvements designated as Route 571, Jasper County, Job No. J7S3284 comprising sidewalk and pedestrian improvements at various locations from Route E (Fairview Avenue) to Route HH (Fir Road), specifically, sidewalk and pedestrian improvements at Fairview & Garrison Avenues in Carthage, Missouri. (Public Works)
3. **C.B. 19-43** – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Butterball LLC., for installation of a recommended 5 foot wide crosswalk at 411 N Main St, Carthage, Missouri. (Public Safety)

16. New Business

1. **C.B. 19-46** – An Ordinance authorizing a special use permit for operation of a Daycare Center as Requested by Rev. Timothy Buelow for 2134 Grand Ave., in the City of Carthage, Jasper County, Missouri. (Planning and Zoning)
2. Consider and Discuss the Adopt-A-Park Program Application for Carthage Community Gardens.

17. Mayor's Appointments

18. Resolutions

1. **Resolution 1887** – A Resolution providing for the formal acceptance of a donation by the City Council of the City of Carthage, Missouri pursuant to City policy. (Public Safety)

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
November 26, 2019

The Carthage City Council met in regular session on the above date at 6:30 P.M. in the City Hall Council Chambers with Mayor Dan Rife presiding. Fire Chief Roger Williams gave the invocation and Police Chief Greg Dagnan led the flag salute.

The following Council Members answered roll call: Darren Collier, Alan Snow, Kirby Newport, Ed Barlow, James Harrison, Ray West, David Armstrong and Mike Daugherty. Council members Juan Topete and Ceri Otero were absent. City Administrator Tom Short and City Attorney Nate Dally were present.

The following Department Heads were present: Police Chief Greg Dagnan, Fire Chief Roger Williams, Public Works Director Zeb Carney and City Clerk Traci Cox.

Mr. Daugherty made a motion, seconded by Mr. Harrison, to approve the minutes of the November 12, 2019 Council Meeting. Motion carried unanimously.

During Citizen's Participation Period: Mark Elliff, President of the Chamber of Commerce and Economic Development Director, gave an update on Project Vacca.

Mr. Snow reported the Budget, Ways and Means Committee is between meetings with the next meeting scheduled for December 9.

Mr. Armstrong reported the Committee on Insurance/Audit and Claims met on this date in the Council Chambers and approved the claims. Mr. Armstrong made a motion, seconded by Mr. Daugherty, to approve the new job descriptions for Park Superintendent and Parks Maintenance II positions. Motion carried.

Mr. Harrison reported the Public Safety Committee met November 25. Changes to the Fairview School Zone were approved, and a council bill will be prepared to adopt the changes. Parking issues at Budlong and Sophia were addressed. No Parking signs will be installed. Mr. Harrison made a motion, seconded by Mr. Snow, to accept the low bid of \$15,060 from Simpson Sheet Metal to replace the HVAC units at City Hall and Fire Station #1. Motion carried. Mr. Harrison made a motion, seconded by Mr. Newport, to accept the low bid of \$14,000 from Kabinet Korner to install custom cabinets at Fire Station #2. Motion carried. Mr. Harrison made a motion, seconded by Mr. Collier, to accept the best bid of \$2,954.85 per unit for personal protective equipment from Fire Master Fire Apparatus, Inc. Motion carried. The next Public Safety meeting is scheduled for December 18.

Mr. Barlow reported the Public Services Committee met November 19. Two bids for the propane tank and dump truck were reviewed. Mr. Barlow made a motion, seconded by Mr. Daugherty, to accept the bid of \$526 from Gary Reed for the propane tank and the bid of \$1,233 from Curtis Cottingham for the dump truck. Motion carried. The committee approved the reorganization of the Parks & Recreation Department to allow for a more

streamlined operation. Maintenance employees under this department will be cross trained to help each other in busy times. Administration will focus on marketing and adding new software to promote the Parks Department.

Mr. Daugherty reported the Public Works Committee is between meetings with the next meeting scheduled for December 3.

Special Committee and Board Liaison reports were given by Mr. Armstrong for Powers Museum, Mr. Snow for the Library Board, Mr. Daugherty for the Chamber and CVB, Mr. Collier for the Carthage Water & Electric Plant, and Mr. Barlow for the Planning, Zoning & Historic Preservation.

Mayor Rife presented a plaque received from Missouri Rural Services for low workers compensation claims, the annual CMR dinner, and his attendance at the annual induction of individuals to the Wall of Heroes at the YMCA.

During Reports of Council Members, Mr. Armstrong pointed out both the Chamber and CVB had voted in favor of the merger and questioned whether additional action was necessary to end the merger. City Attorney Nate Dally and City Administrator Tom Short explained there had been no changes to the bylaws; therefore, the contracts were unaffected and no additional action needed to be taken. Mr. Snow congratulated Carthage High School on their win in the state quarterfinals. He also reminded everyone of the Christmas Parade on December 2.

Public Works Director Zeb Carney reported the new street sweeper has been delivered and a new Code Official has been hired.

City Administrator Tom Short reported on the following: vendor interviews for the compensation study will be held December 3-4, interviews will be scheduled with applicants for the IT Manager position, meetings with the Parks & Recreation Director to discuss reorganization of the department, the auctioneer's recommendation to wait until spring to hold a joint auction with the school, economic development meetings to discuss Project Vacca, economic development meetings regarding communications, the annual audit will be presented December 19 at a joint meeting of the Insurance, Audit and Claims Committee and the Budget Committee and will not be presented at council, rate changes for Suddenlink customers, and the holiday closings for City departments.

The Committee on Claims filed a report in the amount of \$1,594,493.00 against the following funds: General Revenue \$113,923.23, Public Health \$125,083.11, Parks/Stormwater \$71,380.50, Fire Protection \$1,245.87, Golf \$31,741.42, Capital Improvements \$30,000.00, Payroll \$321,118.87, and Carthage Water & Electric \$900,000.00. Mr. Armstrong made a motion, seconded by Mr. Harrison, to accept the report and allow the claims. Motion carried.

Under Old Business, C.B. 19-41 – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Jasper County Circuit Clerk to

lease non-specific/designated storage space located in the basement of City Hall to be used as storage space for storing personal property consisting of office furniture for 3 Judges, 1 Family Court Commissioner and the Circuit Court Clerk during the Jasper County Courts Building renovation project, not to exceed eighteen (18) months was placed on second reading followed by a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Snow, and West. The council bill was approved and numbered Ordinance 19-44.

C.B. 19-42 – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and the Missouri Highway and Transportation Commission providing for a Municipal and Cost Apportionment Agreement for improvements consisting of public improvements designated as Route 571, Jasper County, Job No. J7S3284 comprising sidewalk and pedestrian improvements at various locations from Route E (Fairview Avenue) to Route HH (Fir Road), specifically, sidewalk and pedestrian improvements at Fairview & Garrison Avenues in Carthage, Missouri was placed on second reading followed by a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Snow, and West. The council bill was approved and numbered Ordinance 19-45.

C.B. 19-43 – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Butterball LLC., for installation of a recommended 5 foot wide crosswalk at 411 N Main St, Carthage, Missouri was placed on second reading followed by a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Snow, and West. The council bill was approved and numbered Ordinance 19-46.

Under New Business, C.B. 19-46 – An Ordinance authorizing a special use permit for operation of a Daycare Center as Requested by Rev. Timothy Buelow for 2134 Grand Ave., in the City of Carthage, Jasper County, Missouri was placed on first reading with no action taken.

Consider and Discuss the Adopt-A-Park Program Application for Carthage Community Gardens. Mr. Barlow reported the application for a community garden at Griggs Park had been reviewed and approved by the Public Services Committee. The community garden will be fenced, gated and locked. The city is responsible for running a water line to the garden area. Mr. Collier made a motion, seconded by Mr. Daugherty, to accept the application. Motion carried.

Mr. Armstrong made a motion, seconded by Mr. Daugherty, to approve Resolution 1887 – A Resolution providing for the formal acceptance of a donation by the City Council of the City of Carthage, Missouri pursuant to City policy passed by a roll call vote of 8 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Snow, and West.

During closing remarks, Mr. Armstrong expressed his respect for both the Chamber and CVB Directors and that he was only trying to understand the procedures.

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MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
November 12, 2019

The Carthage City Council met in regular session on the above date at 6:30 P.M. in the City Hall Council Chambers with Mayor Dan Rife presiding. Fire Chief Roger Williams gave the invocation and Police Chief Greg Dagnan led the flag salute.

The following Council Members answered roll call: Mike Daugherty, Ceri Otero, Darren Collier, Alan Snow, Kirby Newport, Ed Barlow, Juan Topete, James Harrison, Ray West and David Armstrong. City Administrator Tom Short and City Attorney Nate Dally were present.

The following Department Heads were present: Police Chief Greg Dagnan, Fire Chief Roger Williams, Parks & Recreation Director Mark Peterson and City Clerk Traci Cox.

Mr. Daugherty made a motion, seconded by Mr. Armstrong, to approve the minutes of the October 22, 2019 Council Meeting. Motion carried unanimously.

During Citizen's Participation Period: Mark Elliff, President of the Chamber of Commerce and Economic Development Director, gave an update on Project Vacca. Ron Petersen, Jr., 1131 Grand, spoke against the proposed construction of a duplex at 11th and Grand that was approved by the Planning, Zoning & Historic Preservation Committee on November 7. Mr. Petersen urged the council to change the ordinances and check historic ordinances of other cities, seek guidance from the State Historic Preservation Office in Jefferson City or have a historic design consultant review construction plans prior to approval.

Mr. Snow reported the Budget, Ways and Means Committee met on November 4. The possibility of putting a use tax on the election ballot was discussed. Ideas were presented by those in attendance for items that could be completed with the revenue from a use tax. An agreement between the Jasper County Circuit Clerk and the City of Carthage was discussed to lease basement space to the County for storage of office furniture in the basement of City Hall while the Courthouse is being remodeled. The committee discussed a proposed merger between the Chamber of Commerce and the Convention and Visitor's Bureau. Mr. Snow made a motion, seconded by Mr. Barlow, to go to the Committee of the Whole to take under consideration the possible Chamber/CVB merger. Motion carried. Mr. Snow opened the floor for discussion. Mr. Armstrong stated it was not the city's responsibility to make a recommendation until a new contract is received. Ms. Otero pointed out that if the CVB has reason to believe it should be dissolved, then it goes back to the city to determine how to administer the tax. Mr. Daugherty said a merger would put more money towards promoting Carthage. Mr. Newport moved to adjourn the Committee of the Whole. Mr. Armstrong seconded the motion. Motion carried.

Ms. Otero reported the Committee on Insurance/Audit and Claims met on this date in the Council Chambers and approved the claims. Ms. Otero made a motion, seconded by Mr. Armstrong, to approve renewing employee health insurance with Anthem Blue Access

with a 1.0% decrease from current rates. Motion passed. Also discussed was an amendment to an agreement between the City of Carthage and Pearson Kelly Technology to provide supplemental Information Technology Services due to the departure of the I.T. Manager, Amon Henady. The motion was approved unanimously and C.B. 19-44 was referred to Council for approval of an emergency ordinance. A job descriptions for PRN Officers was also discussed. This position mirrors that of a reserve officer but will be a paid position. Ms. Otero moved to approve the job description, seconded by Mr. Daugherty. Motion carried. There will be an employee flu shot clinic on November 22.

Mr. Harrison reported the Public Safety Committee is between meetings with the next meeting scheduled for November 25.

Mr. Topete reported the Public Services Committee is between meetings with the next meeting scheduled for November 19.

Mr. Daugherty reported the Public Works Committee met on November 5. The committee discussed an agreement with MODOT for sidewalk improvements and pedestrian traffic at Fairview and Garrison Avenues. This is being presented as C.B. 19-42.

Special Committee and Board Liaison reports were given by Mr. Topete for the Kellogg Lake Board and Tree Board, Mr. Daugherty for the Chamber and CVB, Ms. Otero for the Jasper County Commissioners, Harry S Truman Coordinating Council, and the Carthage Humane Society, Mr. West for the Over 60 Center, Mr. Collier for the Carthage Water & Electric Plant, Mr. Barlow for the Planning, Zoning & Historic Preservation where a Certificate of Appropriateness was approved for 11th and Grand, and Mr. Snow for the Library Board.

Mr. Collier made a motion, seconded by Mr. Newport, to amend the agenda to update C.B. 19-45 to its newest version. Motion carried.

During Reports of Council Members, Mr. Snow thanked all of the Veterans in attendance for their service, Mr. West reported he had discussed the possibility of a use tax at the Over 60 Center, Mr. Daugherty reminded the council that contracts for the Chamber of Commerce and Convention and Visitors Bureau renew every year if the possible merger wasn't working, Mr. Collier discussed the need to revisit the purpose of the Planning & Zoning Committee, noting it is time for change.

City Attorney Nate Dally reported on his attendance at the Planning & Zoning Committee meeting and gave an update on the Chestnut railroad crossing repairs.

Police Chief Greg Dagnan thanked the council for approving the PRN job description.

Parks Director Mark Peterson reported on the installation of playground equipment at Fair Acres, the completion of the entrance at Carter Park, and a meeting with Joplin Trails Coalition to discuss Ruby Jack Trails.

City Administrator Tom Short reported on the following: a new monthly report included in the packet, the IT Manager position is open with applications being taken until November 25, a presentation from the YMCA at the next Public Services meeting for the construction of an aquatic facility, the proposed reorganization of staff at the Parks Department, ISO paperwork for a rating review, leaf pick-up has begun, sales tax revenues, a Change Order for Fairview Widening project approved by the mayor, five proposals were received for a new compensation study, the possibility of a separate city auction, and bids for the HVAC work at the Fire Department and City Hall were opened.

The Committee on Claims filed a report in the amount of \$2,513,551.41 against the following funds: General Revenue \$93,116.42, Public Health \$2,453.49, Parks Stormwater \$54,137.78, Golf \$3,567.64, Lodging \$8,500.00, Library \$25,000.00, Fire Protection \$1,421.68, Capital Improvements \$30,478.75, Payroll \$494,875.65 and Carthage Water & Electric \$1,800,000.00. Ms. Otero made a motion, seconded by Mr. Armstrong to accept the report and allow the claims. Motion carried.

There was no old business to conduct.

Under New Business, C.B. 19-41 – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Jasper County Circuit Clerk to lease non-specific/designated storage space located in the basement of City Hall to be used as storage space for storing personal property consisting of office furniture for 3 Judges, 1 Family Court Commissioner and the Circuit Court Clerk during the Jasper County Courts Building renovation project, not to exceed eighteen (18) months was placed on first reading with no action taken.

C.B. 19-42 – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and the Missouri Highway and Transportation Commission providing for a Municipal and Cost Apportionment Agreement for improvements consisting of public improvements designated as Route 571, Jasper County, Job No. J7S3284 comprising sidewalk and pedestrian improvements at various locations from Route E (Fairview Avenue) to Route HH (Fir Road), specifically, sidewalk and pedestrian improvements at Fairview & Garrison Avenues in Carthage, Missouri was placed on first reading with no action taken.

C.B. 19-43 – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Butterball LLC., for installation of a recommended 5 foot wide crosswalk at 411 N Main St, Carthage, Missouri was placed on first reading with no action taken.

C.B. 19-44 – An Emergency Ordinance authorizing the Mayor to execute an Amendment to Agreement between the City of Carthage and Pearson Kelly Technology, to provide supplemental Information Technology Services (Total Care Support Level, Onsite Support as needed and Monitored Monthly Service level) to the City of Carthage was placed on first reading. Ms. Otero made a motion, seconded by Mr. Armstrong, to follow

the emergency protocol and advance the Council Bill to the second reading. Motion passed.

C.B. 19-44 – An Emergency Ordinance authorizing the Mayor to execute an Amendment to Agreement between the City of Carthage and Pearson Kelly Technology, to provide supplemental Information Technology Services (Total Care Support Level, Onsite Support as needed and Monitored Monthly Service level) to the City of Carthage was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, Topete, and West. The council bill was approved and numbered Ordinance 19-43.

C.B. 19-45 – An Ordinance of the City Council of the City of Carthage, Missouri authorizing tax abatement for a project located in the Carthage Enhanced Enterprise Zone to be undertaken by Leggett & Platt, Incorporated was placed on first reading with no action taken.

Mr. Daugherty made a motion, seconded by Mr. Collier, to approve Resolution 1886 – A Resolution providing authorization of appropriation of funds from the annual operating and capital budget of the City of Carthage, Missouri. Resolution passed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, Topete and West.

During closing remarks, Mr. Snow stated he felt there truly could be synergies of merging the Chamber and CVB. Mr. Harrison reminded everyone the Carthage High School will be playing for districts in football this week.

Mr. Armstrong made a motion, seconded by Mr. Daugherty, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 7:49 PM.

Dan Rife, Mayor

Traci Cox, City Clerk

***PRESENTATIONS/
PROCLAMATIONS***

***PUBLIC
HEARINGS***

***OLD
BUSINESS***

COUNCIL BILL NO. 19-41

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Jasper County Circuit Clerk to lease non-specific/designated storage Space located in the basement of City Hall to be used as storage space for storing personal property consisting of office furniture for 3 Judges, 1 Family Court Commissioner and the Circuit Court Clerk during the Jasper County Courts Building renovation project, not to exceed eighteen (18) months.

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

SECTION I: The Mayor of the City of Carthage is hereby authorized to execute an Agreement between the City of Carthage, Missouri and Jasper County Circuit Clerk to lease non-specific/designated storage Space located in the basement of City Hall to be used as storage space for storing personal property consisting of office furniture for 3 Judges, 1 Family Court Commissioner and the Circuit Court Clerk during the Jasper County Courts Building renovation project, not to exceed eighteen (18) months, a true copy of which 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 _____, 2019.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Budget Ways & Means Committee

LEASE AGREEMENT

THIS LEASE AGREEMENT is made between **The City of Carthage**, hereinafter called **CITY**, and Jasper County Circuit Clerk hereinafter called **TENANT**.

WITNESSETH:

1. That CITY does hereby lease unto TENANT, mutually agreed upon appropriate non-specific/designated storage Space located in the basement of City Hall, hereinafter referred to as the ALease Space@, located at 326 Grant Street, Carthage, Missouri, to be used as storage space for storing personal property consisting of office furniture for 3 Judges, 1 Family Court Commissioner and the Circuit Court Clerk during the Jasper County Courts Building renovation project, not to exceed eighteen (18) months from the signing of this document.

This lease shall be for a term of one year, commencing upon the date of execution hereof and on a month to month basis thereafter if needed, but not to exceed six (6) months monthly.

TENANT is to pay the sum of \$3,780.00 per year, commencing upon the date of execution hereof payable as specified below. If the Jasper County Courts Building renovation project extends longer than one year from the date of this Agreement, monthly rental payments in the sum of \$315.00 per month shall be made prior to the first day of each three-month period thereafter, in advance, and without notice, as rent for the use of said Lease Space. CITY reserves the right to periodically propose changes in the monthly rental rate based upon review.

Monthly rent shall be calculated on a calendar month basis. TENANT shall pay in advance, the first three months= rent on a pro-rata basis to the first day of the next three-month period. Payments to the CITY shall be on or before the first business day of the month beginning each three-month period. There will be a 10% per month late fee charge for rent not paid when due. The TENANT shall be considered late if rent is not received within five (5) business days after the first day of each period. Either party has a right to terminate the Monthly Rental portion of this Agreement with 30 days prior written notice.

2. TENANT accepts the Lease Space on an AAS-IS@ basis. TENANT shall inspect the Lease Space prior to occupying to determine its condition at the beginning of the Lease Term, and shall submit to the City Clerk a written record of such condition that shall be retained as part of TENANT=s file. TENANT shall maintain the Lease Space in neat appearance and in a safe condition at all times and shall be liable, at its sole cost and expense, for repair of any and all damage to the Lease Space caused by TENANT, ordinary wear and tear excepted. Upon termination of this Agreement, TENANT shall return the Lease Space to the CITY in substantially the same condition as it existed at the commencement of this Agreement, ordinary wear and tear excepted.
3. TENANT shall be entitled to access to the storage area between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday with no access given on Saturdays, Sunday, federal, state or city holidays.

4. TENANT shall not use the Lease Space in a manner inconsistent with the purpose of this Agreement as set forth in Section 1 above, unless such activities are pursuant to a separate written agreement with the CITY. TENANT agrees to obtain insurance, if any, on the property stored in the Lease Space. CITY shall exercise proper diligence in preventing access to the storage area by unauthorized persons, but assumes no other responsibility with reference to the contents of the room.
5. CITY shall have the right to enter into the Lease Space in person or by agent at times of emergency or danger; in order to inspect the Lease Space or make repairs on the premises; or for general purposes.

The CITY shall have the right to inspect the Lease Space at any time and without notice to TENANT. TENANT shall not make or cause to be made any alterations or improvements to the Lease Space without the prior written consent of the CITY. Subject to the CITY's rules, regulations and policies, and all applicable City of Carthage codes.

6. It is understood and agreed that notice of default, or of any sale, or of any other action taken by CITY pursuant to this Agreement may be given to the TENANT by mailing a copy of such notice to the TENANT at the address herein below specified by United States Mail postage prepaid twenty (20) business days prior to any contemplated action or as otherwise may be required by law.
7. It is understood and agreed that TENANT shall not sublease any portion of the Lease Space or assign this agreement without the express written consent of the CITY. Also, it shall be the responsibility of TENANT to notify of any change in address of TENANT.
8. To the fullest extent permitted by law, TENANT agrees to release CITY, its officials, departments, employees, and agents, for, from, and against any and all loss, injury, damage to persons or property, or other liability of any nature occasioned by, but not limited to, fire, theft, vandalism, rain, flood, windstorm, hail, earthquake, collision or from any other cause, whether such cause be a direct, indirect, or merely a contributing factor in producing said loss, injury, damage or liability, except for any injuries or damages resulting from negligent acts or omissions of the CITY, its officials, departments, employees, or agents. All personal property stored shall be stored at the TENANT's sole risk. CITY assumes no liability for loss or injury to persons or property while TENANT is using the Lease Space.
9. To the fullest extent permitted by law, TENANT shall hold the CITY, its officials, departments, employees, and agents harmless, for, from and defend the CITY against any and all claims or liabilities including but not limited to fire, theft, damage or loss to person, or property occurring in, on or about any part of the Lease Space when that injury or damage is caused in part or in whole by the act, neglect, fault, or omission of any duty by the TENANT except those injuries or damages resulting from negligent acts or omissions of the CITY, its officials, departments, employees, or agents.
10. Any request for amendments to or modification of this contract by the CITY or TENANT shall be submitted in writing to either party. A breach of any of the foregoing covenants and conditions by TENANT shall, at the option of CITY, terminate this Lease Agreement. In that event, the Lease Agreement shall become null and void and CITY shall retain that portion of rent paid in advance as liquidated damages. **There is no insurance on stored**

contents afforded by this agreement and TENANT assumes all risks incidental to storage, and holds CITY harmless for any loss incurred on said Space.

CITY OF CARTHAGE

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

JASPER COUNTY CIRCUIT COURT

Melissa Holcomb, Jasper County Court Clerk

COUNCIL BILL NO. 19-42

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and the Missouri Highway and Transportation Commission providing for a Municipal and Cost Apportionment Agreement for improvements consisting of public improvements designated as Route 571, Jasper County, Job No. J7S3284 comprising sidewalk and pedestrian improvements at various locations from Route E (Fairview Avenue) to Route HH (Fir Road), specifically, sidewalk and pedestrian improvements at Fairview & Garrison Avenues in Carthage, Missouri.

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

SECTION I: The Mayor of the City of Carthage is hereby authorized to execute an Agreement between the City of Carthage, Missouri and the Missouri Highway and Transportation Commission providing for a Municipal and Cost Apportionment Agreement for improvements consisting of public improvements designated as Route 571, Jasper County, Job No. J7S3284 comprising sidewalk and pedestrian improvements at various locations from Route E (Fairview Avenue) to Route HH (Fir Road), specifically, sidewalk and pedestrian improvements at Fairview & Garrison Avenues in Carthage, Missouri, a true copy of which 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 _____, 2019.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Public Works Committee

CCO Form: DE63

Approved: 12/17 (BDG)

Revised: 12/18 (BDG)

Modified: 09/19 (BDG)

Municipal and Cost Apportionment Agreement

Route: 571

County: Jasper

Job No.: J7S3284

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AND COST APPORTIONMENT AGREEMENT

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Carthage, Missouri, a municipal corporation (hereinafter, "City").

WITNESSETH:

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) IMPROVEMENT DESIGNATION: The public improvement designated as Route 571, Jasper County, Job No. J7S3284 shall consist of sidewalk and pedestrian improvements at various locations from Route E (Fairview Avenue) to Route HH (Fir Road) in Carthage, Missouri.

(2) IMPROVEMENT WITHIN CITY: The improvement within the City is located as follows:

Beginning at Station 1818+75.00 a point on the centerline of Route 571, said point being 76.92 feet north and 1325.35 feet east of the northeast corner of Section 16, Township 28 North, Range 31 West, thence running from said point in a generally southerly direction along existing Route 571 to Station 34+80.94, a point on the centerline of Route 571, said point being 2643.12 feet on a bearing N 88° 41' 56" W for the south quarter corner of Section 15, Township 28 North, Range 31 West. Length of improvement within city is 1.090 miles. Improvements within the City are displayed in attached Exhibit A.

(3) EXTENT OF AGREEMENT: This Agreement shall apply only to the portion of the improvement lying within the city limits as they exist on the date this Agreement is executed by the City.

(4) LOCATION: The general location of the public improvement is shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated route and project.

(5) PURPOSE: It is the intent of this Agreement to outline the parties' responsibilities with respect to the construction and maintenance of those improvements to the State Highway System located within the City limits described in paragraphs (1) and (2) above and designated as Commission Job No. J7S3284. The parties' responsibilities with respect to the funding of said improvements are outlined further herein.

(6) PROJECT RESPONSIBILITIES: With regard to project responsibilities under this Agreement, the parties agree to contribute as follows:

(A) The Commission will be responsible for the preparation of detailed right-of-way and construction plans and project specifications. This includes design, letting of project, and inspection of project. The plans shall be prepared in accordance with and conform to Commission requirements.

(B) The Commission will acquire right-of-way as needed for the project in accordance with Commission requirements.

(C) The Commission will be responsible for letting the work for the herein improvement, which includes advertising the project for bids and awarding the construction contract. The Commission will solicit bids for the herein improvement in accordance with plans developed by the Commission, or as the plans may from time to time be modified in order to carry out the work as contemplated.

(D) The Commission will be responsible for construction of the herein improvements, which includes administration of the construction contract and inspection of the project work. The project shall be constructed in accordance with and conform to Commission requirements.

(7) PAYMENT RESPONSIBILITIES: With regard to payment responsibilities under this Agreement, the parties agree as follows:

(A) The current estimate of the total project cost is one million, five hundred eighty thousand dollars (\$1,580,000), including engineering, inspection, right-of-way, utilities and construction. A detailed breakdown of the project estimate is shown in Exhibit B,

(B) For its participation in the cost of the project, the City shall remit a check in the amount of fifty-eight thousand dollars (\$58,000.00), no more, no less, no later than five (5) days prior to the Commission's advertisement of the project for bids. This check should be made payable to *Director of Revenue - Credit State Road Fund*. If the City fails to make the deposit, the Commission is under no obligation to continue with the project.

(C) The Commission will pay for the remainder of the total project cost, currently estimated to be one million, five hundred twenty-two thousand dollars (\$1,522,000). Because the City's contribution is a lump sum amount, the Commission will receive any project cost savings and will pay for any cost overruns under or over the current project estimate.

(8) COMMINGLING OF FUNDS: The City agrees that all funds deposited by the City, pursuant to this Agreement with the Commission, may be commingled by the Commission with other similar monies deposited from other sources. Any deposit may be invested at the discretion of the Commission in such investments allowed by its Investment Policy. All interest monies shall be payable to the *State Road Fund*.

(9) RIGHT-OF-WAY USE: The City grants the right to use the right-of-way of public roads, streets, alleys and any other property owned by the City as necessary for construction and maintenance of said public improvement.

(10) CLOSE AND VACATE: The City shall temporarily close and vacate all streets or roads, or parts thereof, which may be necessary to permit the construction of the project in accordance with the detailed plans.

(11) RIGHT-OF-WAY ACQUISITION:

(A) Upon approval of all agreements, plans and specifications by the Commission and the Federal Highway Administration (FHWA), the Commission will file copies of the plans with the city clerk of the City and the county clerk of the county and proceed to acquire, any necessary right-of-way required for the construction of the improvement. The City shall reimburse the Commission for the actual costs incurred in the right-of-way acquisition.

(12) UTILITY RELOCATION:

(A) The Commission and the City shall cooperate to secure the temporary or permanent removal, relocation, or adjustment of public utilities or private lines, poles, wires, conduits, and pipes located on the right-of-way of existing public ways as necessary for construction of the improvement and the cost shall be borne by such public utilities or the owners of the facilities except where the City is by existing franchise or agreement obligated to pay all or a portion of such cost, in which case the City will pay its obligated portion of the cost.

(B) The Commission shall secure the removal, relocation, or adjustment of any public or private utilities located upon private easements and shall pay any costs incurred therein.

- (C) It is understood and agreed by the parties to this Agreement that no city-owned utility facilities will require relocation or adjustment in connection with this improvement, but that should utility facilities be discovered at any time during development or construction of this improvement, relocation or adjustment of the same will be done and performed under a supplemental agreement covering the subject, and in accordance with Commission policy then in effect on division of costs for adjustment of utility facilities.
- (D) In cases of public utilities owned by the City which must be moved, adjusted, or altered to accommodate construction of this improvement, and such city owned utilities, poles, wires, conduits, and pipes are located within the present city limits and located on an existing city street, not state highway right-of-way, but being taken over by the Commission as a part of its highway right-of-way, the City will perform the necessary removal, adjustment, alterations and relocation, and the Commission will reimburse the City except as otherwise provided. The City shall perform the removal, adjustment, alterations and relocation in accordance with the detail plans, estimates of costs and bills of materials prepared by the City in accordance with Federal Aid Policy Guide, Title 23 CFR Subchapter G, Part 645, Subpart A (FAPG 23 CFR 645A), dated December 9, 1991 and any revision of it, and approved by the Commission's district engineer, and shall perform all work and keep the records of the costs in accordance with FAPG 23 CFR 645A and its revisions. Upon the completion of any such work and on receipt by the Commission of the original and four copies of a bill for the actual costs incurred by the City in making any such removal, adjustment, alteration and relocation, the Commission shall reimburse the City for the actual cost necessitated by construction of this public improvement. The Commission's obligation toward the cost of any such removal, adjustment, alteration and relocation shall extend only to those costs incurred in accordance with FAPG 23 CFR 645A and its revisions.
- (E) Should it be necessary to alter, relocate or adjust any city-owned utility facilities outside the present city limits on public right-of-way or on state highway right-of-way within or outside the city limits or within the right-of-way of a public way other than a city street or alley, the alteration, relocation, or adjustment shall be made by the City at its cost.
- (F) The City agrees that any installation, removal, relocation, maintenance, or repair of public or private utilities involving work within highway right-of-way included in this project shall be done only in accordance with the general rules and regulations of the Commission and after a permit for the particular work has been obtained from the Commission's district engineer or his authorized representative. Similarly, the City will allow no work on the highway right-of-way involving excavation or alteration in any manner of the highway as constructed, including but not limited to driveway connections,

except in accordance with the rules and regulations of the Commission and only after a permit for the specific work has been obtained from the Commission's district engineer or his authorized representative. The City shall take whatever actions that are necessary to assure compliance with this Subsection.

- (13) LIGHTING: The Commission will, at its cost and expense, install, operate, and maintain basic highway intersection or interchange lighting at warranted locations on the improvement. The construction, installation, and maintenance of any other or further lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect, and to the extent deemed warranted by the Commission, at the time of any such installation. No lighting system shall be installed or maintained by the City on the improvement without approval of the Commission.
- (14) TRAFFIC CONTROL DEVICES: The installation, operation and maintenance of all traffic signals, pavement markings, signs, and devices on the improvement, including those between the highway and intersecting streets shall be under the exclusive jurisdiction and at the cost of the Commission. The City shall not install, operate, or maintain any traffic signals, signs or other traffic control devices on the highway or on streets and highways at any point where they intersect this highway without approval of the Commission.
- (15) DRAINAGE: The Commission will construct drainage facilities along the improvement and may use any existing storm and surface water drainage facilities now in existence in the area. The City shall be responsible for receiving and disposing of storm and surface water discharged from those drainage facilities which the Commission constructs within the limits of highway right-of-way to the extent of the City's authority and control of the storm sewer facilities or natural drainage involved.
- (16) PERMITS: The Commission shall secure any necessary approvals or permits from the Surface Transportation Board, the Public Service Commission of Missouri, or any other state or federal regulating authority required to permit the construction and maintenance of the highway.
- (17) COMMENCEMENT OF WORK: After acquisition of the necessary right-of-way, the Commission shall construct the highway in accordance with final detailed plans approved by the Federal Highway Administration (or as they may be changed from time to time by the Commission with the approval of the FHWA) at such time as federal and state funds are allocated to the public improvement in an amount sufficient to pay for the federal and state government's proportionate share of construction and right-of-way costs. The obligation of the Commission toward the actual construction of the public improvement shall be dependent upon the completion of plans in time to obligate federal funds for such construction, upon approval of the plans by the FHWA, upon the award by the

Commission of the contract for the construction, and upon the approval of the award by the FHWA.

(18) MAINTENANCE:

(A) Except as provided in this Agreement, upon completion of the public improvement, the Commission will maintain all portions of the improvement within the Commission owned right-of-way. Maintenance by the Commission shall not in any case include maintenance or repair of sidewalks whether new or used in place, water supply lines, sanitary or storm sewers (except those storm sewers constructed by the Commission to drain the highway), city-owned utilities within the right-of-way or the removal of snow other than the machine or chemical removal from the traveled portion of the highway.

(B) When it is necessary to revise or adjust city streets, the right-of-way acquired for these adjustments and connections will be deeded to the City.

(C) Effective upon completion of construction, the Commission shall transfer ownership to the City, and the City will accept the portions of existing highways within City replaced by this improvement.

(D) The City shall inspect and maintain the sidewalks constructed by this project in a condition reasonably safe to the public and, to the extent allowed by law, shall indemnify and hold the Commission harmless from any claims arising from the construction and maintenance of said sidewalks.

(19) ACCEPTED WITHIN HIGHWAY SYSTEM: Effective upon execution of this Agreement, the Commission temporarily accepts the portion of the City street system described in this Agreement as part of the State Highway System for the purposes of this project. However, during the construction period contemplated in this Agreement:

(A) The Commission will assume no police or traffic control functions not obligatory upon Commission immediately prior to the execution of this Agreement, and

(B) The City shall perform or cause to be performed normal maintenance on the project site.

(20) CITY TO MAINTAIN: Upon completion of construction of this improvement, the City shall accept control and maintenance of the improved City street that was temporarily accepted as part of the State Highway System for the purposes of this project pursuant to paragraph (19) above and shall thereafter keep, control, and maintain the same as, and for all purposes, a part of the City street system at its own cost and expense

and at no cost and expense whatsoever to the Commission. All obligations of the Commission with respect to the City street system under this Agreement shall cease upon completion of the improvement.

- (21) POLICE POWERS: It is the intent of the parties to this Agreement that the City shall retain its police powers with respect to the regulation of traffic upon the improvement contemplated. However, the City will enact, keep in force, and enforce only such ordinances relating to traffic movement and parking restrictions as may be approved by the Commission and as are not in conflict with any regulations for federal aid. The Commission shall not arbitrarily withhold approval of reasonable traffic regulations, signs, and markings which will permit the movement of traffic in accordance with accepted traffic regulation practices.
- (22) RESTRICTION OF PARKING: Since the improvement is being designed and constructed to accommodate a maximum amount of traffic with a minimum amount of right-of-way, the City shall take whatever actions that are necessary to prevent parking upon the highway or any part of the area of the highway right-of-way within the limits of the improvement.
- (23) OUTDOOR ADVERTISING: No billboards or other advertising signs or devices or vending or sale of merchandise will be permitted within the right-of-way limits of the project and the City shall take whatever actions that are necessary to enforce this Section.
- (24) WITHHOLDING OF FUNDS: In the event that the City fails, neglects, or refuses to enact, keep in force or enforce ordinances specified or enacts ordinances contrary to the provisions in this Agreement, or in any other manner fails, neglects or refuses to perform any of the obligations assumed by it under this Agreement, the Commission may, after serving written request upon the City for compliance and the City's failure to comply, withhold the expenditure of further funds for maintenance, improvement, construction, or reconstruction of the state highway system in the City.
- (25) FEDERAL HIGHWAY ADMINISTRATION: This Agreement is entered into subject to approval by the Federal Highway Administration, and is further subject to the availability of federal and state funds for this construction.
- (26) INDEMNIFICATION:
- (A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,000,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(27) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment approved and signed by representatives of the City and Commission, respectively, each of whom being duly authorized to execute the contract amendment on behalf of the City and Commission, respectively.

(28) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(29) CITY REPRESENTATIVE: The City's Mayor is designated as the City's representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

- (30) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

(A) To the City:
The Honorable Mayor, Dan Rife
Carthage City Hall
326 Grant Street
Carthage, MO 64836

Facsimile No: 417-237-7002

(B) To the Commission:
Southwest District Engineer
Missouri Department of Transportation
3025 East Kearney Street
Springfield, MO 65803

Facsimile No: 417-895-7637

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

- (31) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.
- (32) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.
- (33) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.
- (34) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

- (35) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.
- (36) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.
- (37) AUDIT OF RECORDS: The City must maintain all records relating to this Agreement, including but not limited to invoices, payrolls, etc. These records must be available at all reasonable times at no charge to the Commission and/or its designees or representatives during the period of this Agreement and any extension thereof, and for three (3) years from the date of final payment made under this Agreement.
- (38) COMMISSION RIGHT OF WAY: All improvements made within the state-owned right-of-way shall become the Commission's property, and all future alterations, modifications, or maintenance thereof, will be the responsibility of the Commission, except as otherwise provided by this Agreement or a separate written agreement.
- (39) NO INTEREST: By contributing to the cost of this project or improvement, the City gains no interest in the constructed roadway or improvements on Commission right of way whatsoever. The Commission shall not be obligated to keep the constructed improvements or roadway in place if the Commission, in its sole discretion, determines removal or modification of the roadway or improvements, is in the best interests of the state highway system. In the event the Commission decides to remove the landscaping, roadway, or improvements, the City shall not be entitled to a refund of the funds contributed by the City pursuant to this Agreement.
- (40) ADDITIONAL FUNDING: In the event the Commission obtains additional federal, state, local, private or other funds to construct the improvement being constructed pursuant to this Agreement that are not obligated at the time of execution of this Agreement, the Commission, in its sole discretion, may consider any request by the City for an off-set for the deposited funds, a reduction in obligation, or a return of, a refund of, or a release of any funds deposited by the City with the Commission pursuant to this Agreement. In the event the Commission agrees to grant the City's request for a refund, the Commission, in its sole discretion, shall determine the amount and the timing of the refund. Any and all changes in the parties' financial responsibilities resulting from the Commission's determination of the City's request for a refund pursuant to this provision must be accomplished by a formal contract amendment signed and approved by the duly authorized representative of the City and the Commission.
- (41) NO ADVERSE INFERENCE: This Agreement shall not be construed more strongly against one party or the other. The parties to this Agreement had equal access to, input with respect to, and influence over the provisions of this Agreement. Accordingly, no rule

of construction which requires that any allegedly ambiguous provision be interpreted more strongly against one party than the other shall be used in interpreting this Agreement.

- (42) ENTIRE AGREEMENT: This Agreement represents the entire understanding between the parties regarding this subject and supersedes all prior written or oral communications between the parties regarding this subject.
- (43) VOLUNTARY NATURE OF AGREEMENT: Each party to this Agreement warrants and certifies that it enters into this transaction and executes this Agreement freely and voluntarily and without being in a state of duress or under threats or coercion.
- (44) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations or for convenience by providing the City with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ____ day of _____, 20__.

Executed by the Commission this ____ day of _____, 20__.

MISSOURI HIGHWAYS AND

TRANSPORTATION COMMISSION

By: _____

Title: _____

ATTEST:

Secretary to the Commission

CITY OF CARTHAGE, MISSOURI

By: _____

Title: _____

ATTEST:

By: _____

Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Commission Counsel

By: _____

Title: _____

Ordinance Number _____

Exhibit "A"
Project Location



Exhibit "B"
Funding Table

MoDOT Project Number: 7S3284 Description: Upgrade pedestrian facilities to comply with the ADA Transition Plan at various locations from Rte. E (Fairview Ave.) to 0.14 mile south of Rte. HH (Fir Road) in Carthage	
Project Cost	
Preliminary Engineering	\$224,000
Right-of-way Incidentals	\$1,000
Right-of-way Land Acquisition	\$2,000
Construction and Utilities	\$1,177,000
Construction Engineering	\$176,000
Project Total	\$1,580,000
Project Funding	
MoDOT Operating Budget	\$401,000
MoDOT Asset Management Funds	\$277,000
Statewide Transportation Alternatives Funds	\$844,000
City of Carthage	\$58,000
Project Funding Total	\$1,580,000

COUNCIL BILL NO. 19-43

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage, Missouri and Butterball LLC., for installation of a recommended 5 foot wide crosswalk at 411 N Main St, Carthage, Missouri.

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

SECTION I: The Mayor of the City of Carthage, Missouri is hereby authorized to enter into an Agreement with Butterball LLC., for a recommended 5 foot wide crosswalk at 411 N Main St, Carthage, Missouri, a copy of which 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 NOVEMBER, 2019.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Public Safety Committee

AGREEMENT FOR INSTALLATION OF A CROSSWALK
City of Carthage, Missouri and
Butterball LLC. 411 N Main St, Carthage, MO 64836

This Agreement, made and entered into on this 26th day of November 2019, by and between the City of Carthage, Missouri, a municipal corporation, with offices located at 326 Grant St. Carthage, Missouri, hereinafter referred to as the "City" and Butterball LLC., a for-profit corporation organized under the laws of the State of Missouri, located at 411 N Main St, Carthage, Missouri 64836, hereinafter referred to as the "Company."

Whereas, managerial personnel of the Company, specifically, Todd Ericsson and Matt Duvall addressed the City of Carthage's Public Safety Committee on September 19, 2019 regarding perceived dangers in front of the Company's building located at 411 N Main St, Carthage, Missouri regarding Butterball employee safety; and

Whereas, currently the site is set up with two crosswalks in front of the building where employees walk across the street to the parking lot; and

Whereas, the Company has had two employees injured while using these cross walks from moving traffic from their parking lot; and

Whereas, the Company has suggested the removal of the existing cross walks and the installation of a more centralized crosswalk with pedestrian crossing signs in the middle of the road for better visibility with a speed indicator to display speeds, and a speed hump on both sides of the centralized crosswalk to slow down traffic entering and leaving the parking lot; and

Whereas, City staff has recommended that a 5 foot wide crosswalk be placed between the newly built front door of Butterball and the employee outdoor smoking area (the "smoke shack") including vinyl speed humps to be placed to the North and to the South of the crosswalk to slow down traffic (Diagram attached as Attachment A). The Speed Humps would be vinyl, screw-down speed humps that can be removed if they need to be readjusted or cause drainage problems in the area. The Company will take responsibility for the replacement of the humps as they deteriorate. Additionally, a Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD) approved speed sign owned and maintained by the Company will be placed near the North Speed Hump; and

Whereas, the Company is asking the City to consent to and install the recommended changes with the Company reimbursing the City for all costs associated with the project;

NOW, THEREFORE, in consideration of these premises and the mutual covenants herein contained, the parties agree as follows:

- City (or its contractor) will install a 5 foot wide crosswalk between the newly built front door of Company and the employee outdoor smoking area which will include two (2) vinyl speed humps placed to the North and to the South of the crosswalk to slow down traffic.
- The vinyl speed humps will be screw-down speed humps that can be removed if needed due to problems.
- Company will take responsibility for the replacement of the two (2) vinyl speed humps as they deteriorate.
- City will install a MUTCD approved speed sign placed near the North Speed Hump.
- Said sign will be owned, operated and maintained by the Company.

- City will invoice Company for all costs incurred for the installation of the project.
- Company will reimburse City for all costs associated with the project, within thirty (30) days of receipt of invoice from City.
- The Company shall indemnify, defend and save the City and its officers, employees and agents, including members of the City Council, harmless from and against all claims, demands, costs, liabilities, damages or expenses, including attorneys' fees, by or on behalf of any person, firm or corporation arising from the conduct or management of, or from any work or thing done in, on or about, the Project during the term of this Agreement, and against any and all claims, demands, costs, liabilities, damages or expenses, including attorneys' fees, arising during the term of this Agreement from (a) any condition of the Project, (b) any breach or default on the part of the Company in the performance of any of its obligations under this Agreement, or any action requested of the City by the Company pursuant to this Agreement, (c) any contract entered into in connection with the acquisition, construction, furnishing and equipping of the Project, (d) any act of negligence of the Company or of any of its agents, contractors, servants, employees or licensees, (e) any act of negligence of any permitted assignee, lessee or sub lessee of the Company, or of any agents, contractors, servants, employees or licensees of any permitted assignee, lessee or sub lessee of the Company.

The City and the Company agree to take such actions as may be necessary or appropriate to carry out the terms, provisions and intent of this Agreement and to aid and assist each other in carrying out said terms, provisions and intent.

If for any reason any provision of this Agreement shall be determined to be invalid or unenforceable, the validity and enforceability of the other provisions hereof shall not be affected thereby.

This Agreement shall be construed in accordance with and governed by the laws of the State of Missouri.

IN WITNESS WHEREOF, the parties hereto affix their hands and seals the day and year first above written.

CITY OF CARTHAGE, MISSOURI
A Municipal Corporation

By:
Dan Rife,
Mayor, City of Carthage

ATTEST:

Traci Cox, City Clerk

Butterball LLC.

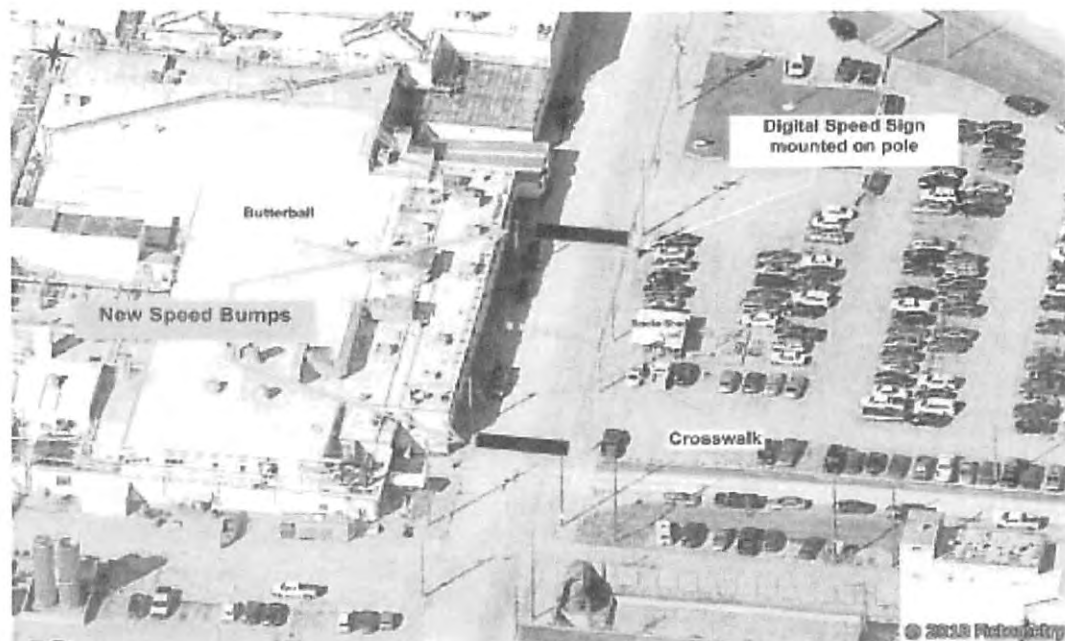
A For-profit Corporation

By:
_____, Chairman
Butterball LLC.

ATTEST:

Secretary

Exhibit A



Council Bill 19-45: An Ordinance authorizing the Mayor to execute a Performance Agreement between the City of Carthage and Leggett & Platt, Inc., to provide certain incentives for the construction of new and expansion of existing facilities for certain industrial, warehousing and manufacturing purposes, sponsored by the Enhanced Enterprise Zone Board, is scheduled to have its second reading in conjunction with a public hearing (required by the EEZ Law), notice of which was published in the newspaper and sent to each affected taxing district. This is the notice for the public hearing is:

PUBLIC HEARING NOTICE

The City of Carthage, Missouri will hold a public hearing at 6:30 p.m. on December 10, 2019 at the City Hall, 326 Grant Street in Carthage, regarding a grant of tax abatement for the construction of an additional new operating line for the manufacturing of residential bedding coil mattress units at 229 N. McGregor Street in Carthage (the "Project"). The Project is wholly within the Carthage Enhanced Enterprise Zone. The City is considering granting real property tax abatement for the Project pursuant to Sections 135.950 to 135.973 of the Revised Statutes of Missouri, as amended.

The public and representatives of all taxing districts affected by the proposed tax abatement are invited to submit comments to the Carthage City Council prior to the date of the hearing at City Hall, 326 Grant Street, Carthage, Missouri. All interested persons will be given an opportunity to be heard at the public hearing.

***NEW
BUSINESS***

COUNCIL BILL NO. 19-46

ORDINANCE NO. _____

An Ordinance authorizing a special use permit for operation of a Daycare Center as Requested by Rev. Timothy Buelow for 2134 Grand Ave., in the City of Carthage, Jasper County, Missouri.

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

SECTION I: A special use permit for the operation of a Daycare Center hereby granted to the Rev. Timothy Buelow to be located on real estate legally described as: CAR MISC 5A S1/2 SW NW NW & S 12.5' N1/2 SW NW NW
Commonly known as 2134 Grand Ave., Carthage, MO

SECTION II: Said special use permit is granted in accordance with Chapter 25-251 (12) of the Code of the City of Carthage.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2019.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Planning & Zoning Commission

SPECIAL USE PERMIT PETITION

You must provide all requested information on the application. Blanks may delay processing of your petition. (write 'n/a' if information is not applicable to proposal).



Date: 10/7/2019

Filing Fee: \$100.00

Type of Special Use: (be as specific as possible and cite Zoning Ordinance provision listing use as permitted special use)

DAYCARE

Note: The City's Zoning Ordinance and Comprehensive Plan may be viewed at the City Clerk's Office or the Public Works Department

Modification of previously issued Special Use Permit:

☐ Yes

☒ No

Property Address: 2134 GRAND AVE.

Location/Legal description:

Total site area: 2,034 sq. ft.

Zoning District(s) and land area within each:

A, 5 ACRES

Present Land Use(s):

CHURCH

Owner: FAITH LUTHERAN CHURCH

Address: 2134 GRAND AVE.

Tele: 417 358 5059

City: CARTHAGE

State: MO

Zip Code: 64386

Email Address: pastor@faithcarthage.org

Fax:

Petitioner: REV. TIMOTHY BUELOW
(person to whom all correspondence will be sent)

Relationship to Owner: PASTOR / AGENT

Address: 1302 S MAIN ST.

Tele: 417-368-4374

City: CARTHAGE

State: MO

Zip Code: 64836

Email Address: pastorbuelow@gmail.com

Fax:

Proposal:

(Attach Special Use Permit Petition Statement of Justification)

Other information: ATTACHED
(additional relevant information about the site or proposal you wish to note or cite)

The undersigned property owner(s) hereby authorize the filing of this petition (and any subsequent revisions thereto), and authorize(s) on-site review by authorized staff.

Signature: Phak Kinnul Date: 10/13/19

Signature: Fred Waldbesser Date: 10/7/19

Signature: Fred Masec Date: 10/7/19

The undersigned petitioner hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate.

Signature: [Signature] Date: 10/7/19

Return form to: Public Works Department

Office Use Only:	Date Received: _____	Hearing date: _____	Approved: ☐ Yes ☐ No
Permit Required: ☐ Yes ☐ No	Permit type: _____ <i>(if applicable)</i>		

185' Property Ownership Map / 2134 Grand



Date created: 10/11/2019
Last Data Uploaded: 9/23/2019 9:08:37 PM

Developed by  **Schneider**
GEOSPATIAL

SPECIAL USE PERMIT PETITION

STATEMENT OF JUSTIFICATION

For each of the five criteria listed below, provide a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Planning, Zoning and Historic Preservation Commission to reach a recommendation, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required criteria are simply suggestions. Applicant should address any additional considerations potentially raised by the proposed development.

Important: Applicant bears the burden of presenting sufficient factual evidence to support findings of fact that allow the Commission to reasonably reach a recommendation. If the applicant fails to meet that burden, the Commission has no choice but to recommend denying the petition.

1. The proposed development will not materially endanger the public health or safety.

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts.
- Provision of services and utilities, including sewer, water, electrical, garbage collection, and fire protection.
- Soil erosion and sedimentation.
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater

2. The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of special use or class of special uses.

3. The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community as a whole as to justify it regardless of its impact on the value of adjoining property.

4. The proposed development will be in harmony with the area in which it is located.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

5. The proposed development will be consistent with the City's Comprehensive Plan.

Considerations:

- Consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.

Signature: _____



Date: _____

10/7/2019

Other Information Comments

We are requesting that our church facility be allowed to utilize existing classroom space to care for young children during weekdays. Hours of operation will be 6 AM to 6 PM Monday through Friday.

Statement of justification

1. The proposed development will not materially endanger the public health or safety.

- Considerations: The facility is already in place and has been in use for 52 years. A childcare facility in our existing building will have no adverse effects on public services, soil erosion or groundwater sources. We initially intend to have no more than 20 children at a time. That may increase traffic to our location on business days for drop off and pick up. However, Grand Avenue is a main road and this minor increase in activity should not have a negative impact on the local residences.
- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts.
- Provision of services and utilities, including sewer, water, electrical, garbage collection, and fire protection.
- Soil erosion and sedimentation.
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater

2. The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of special use or class of special uses.

- Considerations: Our director has met with the appropriate officials to obtain the necessary information for compliance of all regulations that pertain to our intended use. Initial inspections by the State Fire Marshall and the State Childcare Inspector have been completed. The facility is being upgraded to current usage standards for operating a childcare. Further inspections and approvals will be obtained from all relevant authorities, both state and local, before opening our childcare.

The area to the north of the church property is zoned residential. The area immediately south of the church facility is zoned business and occupied by U.S. Bank. The church property itself is zoned residential but operating under a special use variance for religious activity/education. In effect, the only difference will be increased usage of an underutilized facility for an extension of its original purpose.

3. The proposed development will not substantially injure the value of adjoining property or is a public necessity.

- Considerations: Having high quality, nearby childcare, the residential area will benefit. The only change to the exterior of our building will be a fenced-in outdoor play area. It will be on the south side of the church across the street from US Bank. This should not be of any consequence to property values. By enabling the church to thrive, the property will be enhanced and be able to afford good maintenance, maintaining property values for its neighbors. Furthermore, the shortage of childcare in Carthage represents a local need that we will help to fill.
- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community as a whole as to justify it regardless of its impact on the value of adjoining property.

4. The proposed development will be in harmony with the area in which it is located.

Considerations: At the time, the facility is already in place and is a harmonious part of the surrounding area, the majority of which post-dates the erection of our current building.

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

5. The proposed development will be consistent with the City's Comprehensive Plan.

Considerations: The addition of another childcare facility in the city of Carthage will enhance the school system's recruitment of teachers, and alleviate a current obstacle to business growth, while enhancing the quality of life for Carthage residents.

- Consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.



Carthage Parks & Recreation

521 Robert Ellis Young Drive
Carthage, MO 64836
PHONE: (417) 237-7035
FAX: (417) 237-7036

ADOPT-A-PARK PROGRAM APPLICATION

Circle one:

Are you a: Business Non-Profit Individual Service Organization School Group Scout Troop Church Group
Sports Group Neighborhood Group

Name of Entity: Carthage Community Gardens

Group/Organization Contact: Chanti Beckham – H.E.R.E.4Carthage Initiative

Address: 221 W. 4th Street #1A

Phone Number: 417-438-9970

Carthage, MO. 64836

Email Address: here4carthage@gmail.com

City/State/Zip

We would like to adopt:

1st Choice Park or Area: Griggs Park

2nd Choice Park or Area: _____

Please describe proposed project: Building community gardens, working alongside residents to cultivate gardeners, grow food, and nourish the community.

Will this project be: ongoing annual one-time

Tentative work date(s): February 1st 2020 – March 31st 2021

How many volunteers do you anticipate being involved? 20

What is your anticipated budget for the project? \$30,000

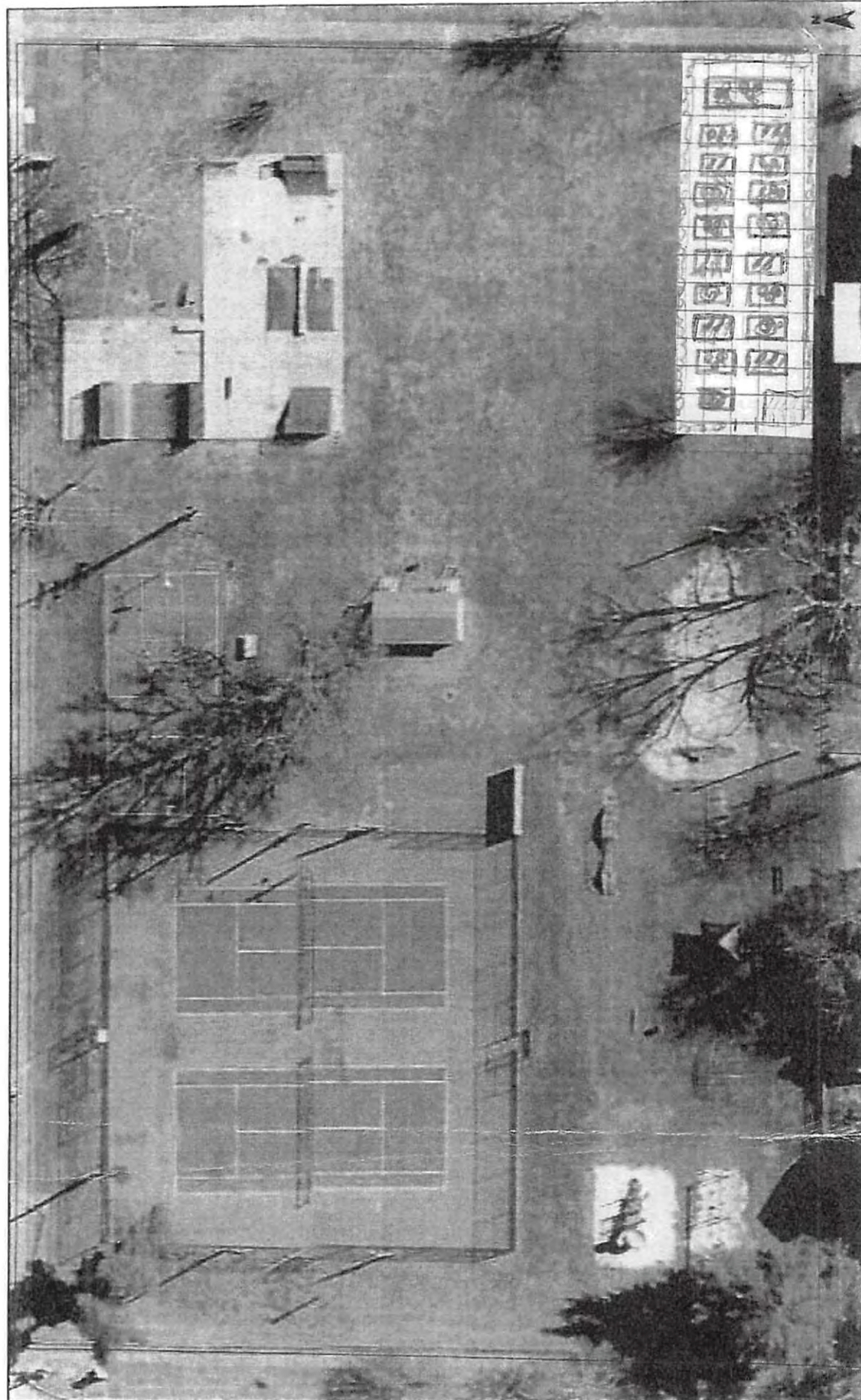
How much of the budget will you be able to provide? 100%

What equipment/supplies will you be able to provide? Fencing, lumber for beds, soil for beds, water hydrant and hoses, seeds, tool shed and tools, and garden signage.

Statement of Agreement

As a representative of this group, I have read and agree to abide by the policies, guidelines and safety recommendations as put forth by the City of Carthage in regard to the Adopt-a-Park Program. I understand that this is an application for an Adopt-a-Park project and that the City of Carthage Parks Administrator will contact me to finalize an agreement with the input of the Public Services Committee. I understand that the City will have the final determination regarding the adoption/project.

Signature: Chanti Beckham Date: 11/21/19



30' 51.2

0.144

The City of Carthage Parks and Recreation Department and the H.E.R.E. 4 Carthage Initiative agree to partner on the implementation, development, and ongoing maintenance of Carthage Community Gardens within Grigg's Park (316 W. Centennial  Carthage, MO 64836). From the southeast corner of the park, the gardens will extend approximately 90' to the west and approximately 30' to the north.

H.E.R.E. 4 Carthage will be responsible for:

- Purchasing all start up garden materials:
 - Fencing
 - Lumber for beds
 - Soil for beds
 - Water hydrants & hose
 - Seeds
 - Tool shed and tools
 - Garden signage
- Establishing a Carthage Community Gardens Committee
- Installing garden beds to the point of ready to plant
- Oversight of the garden through Spring 2021*

The City of Carthage Parks and Recreation Department will be responsible for:

- Running a water line to the garden area
- Help with installation of garden fencing to park guidelines
- Oversight of garden after Spring 2021*

*H.E.R.E. 4 Carthage will set up a volunteer Carthage Community Garden Committee whose president will report to the Parks and Recreation Director upon completion of the H.E.R.E. 4 Carthage grant - April 1, 2021.

Carthage Community Gardens

Vision:

To live in a community where everyone has access to healthy local food.

Mission:

Work alongside residents to cultivate gardeners, grow food, and nourish the community.

Scope:

Establish a thriving community garden.

Garden should be located within walking distance of as many residents as possible.

Garden will be open to the entire community.

A Committee will be established to oversee the management of the garden (spreading the word about the garden, reserving plots, verifying garden is maintained, communicating with the city).

Garden members reserve plots to garden.

A small quantity of raised height beds will be available for less mobile gardeners.

One large garden will be maintained and governed by the committee.

**Carthage Community Gardens
Conditions of Use 2020**

Administrative Rules

1. All plots are the property of Carthage Community Gardens, and are not transferable. Fees will not be refunded or prorated. Plots that are given up or are revoked for cause will be returned to Carthage Community Gardens Committee for re-assignment. Gardeners may not give or offer their plot to others.

2. Gardeners must maintain a current email address and phone number on file with Carthage Community Gardens Committee (CCGC). Changes should be sent to _____.

Gardening Rules

1. Gardeners are required, at all times, to maintain their plots, adjacent paths, and adjacent interior and exterior fence lines.

By {date}, gardeners must begin work on their plots including weeding, soil amendment, and cultivation. If the plot is not in progress by {date}, you will receive a violation. By {date}, the majority of the plot space must be planted. During the gardening season, dead plants and those that have stopped producing should be removed in a timely manner. By {date}, gardeners must remove weeds, dead plants and summer garden debris from plots. Fall/winter vegetables and cover crops should remain in the plot. If the plot is not cleared or in compliance by {date}, you may not renew.

2. All gardens must pass regular inspections. Failure to abide by any of the rules set out in the Conditions of Use will result in the loss of your plot. If a garden plot is not in compliance with the Conditions of Use, notification will be sent by email. A follow-up inspection will be performed about 2 weeks after the email notice. If the plot is still not in compliance, it will be revoked and returned to CCGC for re-assignment. All fees will be forfeited.

3. Notify CCGC immediately if you are away or not able to keep up with maintenance tasks due to travel, illness, or other circumstances.

4. Gardeners are required to contribute 8 hours of service to the garden each year. The Community Garden Volunteers are authorized to identify tasks that meet the service-hour requirement.

5. Garden paths must be kept open and clear of all items. No tools, wheelbarrows, or garden debris may be stored or left on the garden paths. Items left in the paths are subject to removal – with or without notice.

Carthage Community Gardens
Conditions of Use 2020

6. **Gardeners are responsible for keeping garden gates closed and locked.** Combinations to the garden locks shall not be shared. Tool shed and garden gates must both be closed properly when exiting the garden.
7. **Organic gardening practices are required in all parts of the community garden.** This includes handpicking pests, using row covers, pruning or digging out diseased plants, and physically removing weeds. Insect, disease, and weed control products must be OMRI-listed; and herbicides labeled as OMRI-listed or organic can be used in the community garden. Please read and follow all instructions listed on the product.
8. **Invasive plants are not allowed in the garden.** Information about invasive plants in Missouri can be found at <https://nature.mdc.mo.gov/status/invasive>. Aggressive plants like mint, lemon balm, and similar plants must be contained, and must not be allowed to establish themselves in the ground.
9. **Gardeners may not harvest from another gardener's space without express permission.**
10. **Gardeners may not shade other plots with plants or plant structures.** Tall plants should only be planted in the center of the plot or where they will not shade neighboring plots. Plants or structures that do not meet this standard will be removed.
11. **If application of chemicals is necessary in or around the garden, Carthage City Parks is responsible for notifying gardeners 48 hours in advance.**
12. **Water conservation must be practiced at all times.** Water roots deeply rather than other parts of the plants. Gardeners must be present when watering. Do NOT leave water running unattended. Watering is limited to 15 minutes when others are waiting to water.
13. **No open containers of water are allowed.** They are a health hazard that provides breeding areas for mosquitos and can spread disease.
14. **Gardeners are responsible for removing trash from the garden site.** Only plant waste is allowed in the garden debris areas.
15. **Visitors are not permitted in the garden unless accompanied by a current garden plot holder.**
16. **Pets are not allowed within the community garden fence.**
17. **Children are welcome in the garden but must be supervised by a responsible adult at all times.**

**Carthage Community Gardens
Conditions of Use 2020**

18. The community gardens are alcohol and smoke-free areas. Loud radios and/or music are not allowed.

19. All general parks rules apply to the Community Gardens.

Conditions of Use and Garden Rules are subject to annual review and revision.

Applicants Signature: _____

Date: _____

RESOLUTION NO. 1663**A RESOLUTION APPROVING AN ADOPT-A-PARK PROGRAM FOR THE CITY OF CARTHAGE**

WHEREAS, the City of Carthage, Missouri provides the community with an enhanced quality of life through recreational spaces, picnic spots, exercise opportunities, community gathering areas and other public places; and,

WHEREAS, the Parks Department works diligently to provide citizens with clean, attractive and well maintained areas; and,

WHEREAS, due to the number of parks in the City and the limited resources available to maintain these, it creates a difficult situation in keeping each park and public place in its highest condition; and,

WHEREAS, the proposed Adopt-A-Park program allows individuals or groups to take a proactive role in the beautification of local parks and public places; and,

WHEREAS, the individuals and groups who become involved in the Adopt-A-Park program are helping to enhance and maintain our public lands through clean up, planting plantings, weeding, and other projects which increases awareness of the importance of protecting our natural resources, generates pride in our park system and demonstrates a commitment to our community; and,

WHEREAS, the City's Public Services Committee will review all project applications and make recommendations to the City Council for approvals,

NOW, THEREFORE, BE IT RESOLVED THAT THE CARTHAGE CITY COUNCIL HEREBY APPROVES AND ADOPTS THEN ADOPT-A-PARK PROGRAM AS ATTACHED.

PASSED AND APPROVED THIS 10th DAY OF April, 2012.

/s/ J. Michael Harris
MAYOR

ATTEST:

/s/ Lynn Campbell
CITY CLERK



Carthage Parks & Recreation

521 Robert Ellis Young Drive
Carthage, MO 64836
PHONE: (417) 237-7035
FAX: (417) 237-7036

ADOPT-A-PARK PROGRAM APPLICATION

Circle one:

Are you a: Business Non-Profit Individual Service Organization School Group Scout Troop Church Group
Sports Group Neighborhood Group

Name of entity: _____

Group/Organization Contact: _____

Address: _____ Phone Number: _____

Street

Email Address: _____

City/State/Zip

We would like to adopt:

1st Choice Park or Area: _____

2nd Choice Park or Area: _____

Please describe proposed project: _____

Will this project be: ongoing annual one-time

Tentative work date(s): _____

How many volunteers do you anticipate being involved? _____

What is your anticipated budget for the project? _____

How much of the budget will you be able to provide? _____

What equipment/supplies will you be able to provide? _____

Statement of Agreement

As a representative of this group, I have read and agree to abide by the policies, guidelines and safety recommendations as put forth by the City of Carthage in regard to the Adopt-a-Park Program. I understand that this is an application for an Adopt-a-Park project and that the City of Carthage Parks Administrator will contact me to finalize an agreement with the input of the Public Services Committee. I understand that the City will have the final determination regarding the adoption/project.

Signature: _____ Date: _____

City of Carthage Adopt-A-Park Program Guidelines

MISSION:

To provide groups, organizations, churches, businesses and individuals with opportunities to beautify, maintain and improve Carthage parks and public spaces.

GENERAL GUIDELINES:

- The City's Public Services Committee will review all project applications and make recommendations to the City Council for approvals.
- The City Council's decision will be final on any projects.
- The adoption period is for one year and is renewable at the request of the entity/individual and approval by the City.
- The adopting organization must complete a minimum of three work days a year at its adopted park, unless it is a single, annual or special project.
- If the adopting entity/individual has not conducted a work day at the end of the first six-month period, the agreement will be cancelled.
- A signed agreement must be in place before any work can be undertaken.
- Each entity/individual must sign an indemnity/hold harmless agreement with the City before any work is undertaken.
- All activities need to be coordinated with the City of Carthage Parks Department.
- Each entity/individual must designate a representative to act as a liaison with the City of Carthage Parks Department.
- A meeting must be conducted prior to the work with the liaison and the City's Park's Administrator to discuss needed materials, equipment and supplies.
- Organizations that install plantings are responsible for the maintenance of the plantings during the time of the agreement.
- Any fundraising done outside of the funds provided by the adopting entity/individual must be coordinated with the City.

RESPONSIBILITIES OF THE PARKS DEPARTMENT:

- Approve all plans and work activities.
- To fund (within budget guidelines) the Adopt-A-Park Program. However, it should be understood that not all projects can be funded due to budget restraints.
- Erect an Adopt-A-Park sign at the park to provide public recognition of the adopting entity/individual.
- Work to provide media coverage for the Adopt-A-Park Program and to recognize participating entities/individuals.
- Upon successful completion of the project, provide recognition by the City for the entity/individual.

City of Carthage, Missouri Adopt-a-Park Program Volunteer Waiver

I, undersigned, hereby represent that I have volunteered to participate in the Adopt-a-Park Program with the _____ (project) on _____ (date) and have read the safety recommendations associated with the Adopt-a-Park Program.

I acknowledge and am aware that participation in this program has inherent risks hazards. I understand that it is my responsibility to be aware of my physical condition and will refrain from doing any physical activities beyond my capabilities.

I agree to defend, indemnify and hold harmless the City of Carthage and its officers And its employees and hereby release the same from and against any and all liability, claims, demands and expenses, including court costs and reasonable attorney fees, on account of any property damage, bodily injury, sickness, damage, or other loss of any kind whatsoever that arise out of or are in any manner connected with the work to be performed under the Adopt-a-Park Program, if such injury, loss, or damage is caused in whole or in part by, or is claimed to be caused in whole or in part by, the act, omission, or other fault of myself or of any other volunteer participating in the Adopt-a-Park Program.

This form must be signed by all project participants and turned in to the Parks Administrator for the City of Carthage no later than two days prior to the startup of the project. Additional sheets must be turned in if volunteers are added to the project after the initial form is completed.

[illegible]

SAFETY GUIDELINES

- Don't pick up materials that you suspect might be hazardous such as needles, bloody objects or drug paraphernalia (Please contact the City if these conditions exist).
- Recycle whenever possible. Separate recyclables (glass, plastics and aluminum) and take to a drop off center.
- Do not use power equipment unless approved by the Park Department.
- Do not use sprayer or use any chemicals.
- Do not block pathways or roads.
- Lift all objects with your legs, not your back.
- Wear light or bright clothing, hard soled shoes and sturdy work gloves.
- Use sun block or wear a hat.
- Watch and take precaution for:
 - ✓ Snakes, other animals and insects.
 - ✓ Noxious weeds.
 - ✓ Glass, barbed wire, pipes and debris with sharp or rusted edges.
 - ✓ Unexpected holes or ditches.
- Work only during park hours.
- Be sure to take breaks, drink fluids and dress appropriately for the weather.
- Don't bring children or pets along on projects unless they can be closely supervised.
- Contact the Parks Department immediately if you notice a safety hazard such as a broken swing or park bench.
- Do make sure that all volunteers in your business or organization are familiar with these safety precautions.

***MAYOR'S
APPOINTMENTS***

RESOLUTIONS

RESOLUTION NO. 1887

A RESOLUTION PROVIDING FOR THE FORMAL ACCEPTANCE OF A DONATION BY THE CITY COUNCIL OF THE CITY OF CARTHAGE, MISSOURI PURSUANT TO CITY POLICY.

WHEREAS, periodically, private individuals and agencies would like to make donations and grants to the City of Carthage for general or specific purposes; and

WHEREAS, the City has adopted a policy to formalize the conditions and procedures to be followed by the City in accepting said donations and grants, and to assist the City Council in evaluating the impact of proposed donations and grants on the resources of the City of Carthage; and

WHEREAS, This policy also establishes guidelines that ensure donations occur at arm's length from any City decision-making process, and provide criteria and process for the acceptance of donations; and

WHEREAS, The City Administrator has prepared and submitted a report evaluating the impact of the proposed donations or grants on the resources of the City.

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

That the City accepts a donation from Connie Haffner on behalf of the Haffner Family for the Carthage Fire Department in the amount of \$2,000 to be used to purchase duty uniform jackets for all the Carthage Fire Department personnel. A future budget adjustment will be prepared to authorize the appropriation of these funds from the Public Safety Fund.

PASSED AND APPROVED THIS _____ DAY OF _____, 2019.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Public Safety Committee

CITY ADMINISTRATOR DONATION REPORT:

The City Administrator shall prepare a report evaluating the impact of all proposed donations or grants on the resources of the City. This report must include both the immediate costs of placing said donation into service or program into action and the costs required to maintain or continue the program in future budget years. Such costs may include analysis of annual personnel, repair and maintenance and equipment expenditures and any future capital improvements required by the donation. The report must be submitted to Council at the same time acceptance of the donation or grant is to be considered. If additional operating costs are associated with the acceptance of the donation, the Council shall identify the source of revenues to defray the additional costs at the time of acceptance.

There will be no on-going material costs associated with the acceptance of the funds for the uniform jackets. However, if there are any required expenditures, they will be handled through the Fire Department's operating budget.

MINUTES
STANDING
COMMITTEES

**COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
TUESDAY, NOVEMBER 12, 2019
CITY HALL COUNCIL CHAMBERS**

COMMITTEE MEMBERS PRESENT: Ceri Otero, David Armstrong, Kirby Newport and Ed Barlow.

OTHER COUNCIL MEMBERS: None.

OTHERS PRESENT: City Administrator Tom Short, City Clerk Traci Cox and Police Chief Greg Dagnan

Chairperson Ceri Otero called the meeting to order at 5:00 P.M.

OLD BUSINESS:

Approval of minutes from previous meeting: On a motion by Mr. Barlow, the minutes of the October 22, 2019 meeting were approved 4-0.

Review and approval of the Claims Report: The Committee discussed items regarding the Claims Report before it was approved 4-0 on a motion by Mr. Armstrong.

NEW BUSINESS:

1. **Consider and Discuss Employee Health Insurance Renewals:** Ms. Cox reported Anthem will be decreasing their health insurance rates by 1% for the next fiscal year. The ER copay will increase from \$200 to \$300 and the Live Health Online copay will decrease from \$30 to \$10. Mr. Newport moved to renew the contract with Anthem. Motion carried.
2. **Consider and Discuss the Amendment to the Pearson Kelly IT Services Agreement:** Mr. Short explained the need to amend the contract with Pearson Kelly due to the departure of the IT Manager, Amon Henady. Tyson Petty with Pearson Kelly was present to discuss the changes to the contract, going from Assist to Total Care. This will allow Pearson Kelly to fill the gap and continue services, with the exception of radio repairs. The "Total Care" portion of the contract is renewable on a month-to-month basis. Mr. Barlow moved to approved the amended contract. Motion carried.
3. **Consider and Discuss Job Descriptions for Police Reserve Officers:** Mr. Short and Police Chief Greg Dagnan explained the creation of a new job description, Police Officer, PRN. This position would be on call, working on an as needed basis and would create no budget impact. Reserve Officers are not paid positions. The PRN position would be very similar to a Reserve Officer position; however, it would be a paid position. Mr. Newport moved to send the PRN position to council for approval. Motion carried.
4. **Staff Reports:** City Clerk Traci Cox reported an employee flu shot clinic will be held on November 22. The Wellness Committee has put together a wellness plan based on an annual point system that would go into effect on January 1, 2020. The plan

will be finalized soon and brought back to Committee for approval.

Mr. Short reported five proposals were received for the Compensation and Benefit Study. The review committee for the proposals consists of the Chair and Vice Chair of the Budget Committee, the mayor, city administrator and city clerk. Mr. Short also reported on the possible use of the Bernie Portal for employee onboarding in the future.

ADJOURNMENT: Mr. Armstrong made a motion to adjourn at 5:47 PM. Motion carried 4-0.

Traci Cox
City Clerk

***MINUTES
SPECIAL
COMMITTEES
AND BOARDS***

Carthage CVB Board Meeting Minutes

January 7, 2019

Members Present – Steve Willis, Gregg Wolf, Matt Freeman, Mishell, Hoover, Amy Campbell, Jonathan Roberts, Stephanie Howard, Anthea Harbin.

Liaisons Present – None

Ex – officio Present – Mark Eliff

Meeting called to order at 8:05 AM by Steve Willis

Secretary Report – With a motion from Stephanie and a second from Jonathan, minutes from December 5, 2018 meeting were approved.

Treasurer's Report – Jonathan requested a breakdown of Food Truck Friday expenses and income.

Lodging Tax – Didn't have one

Old Business – None

New Business –

- Hiring Committee conducted second round of interviews, offered position to an individual who declined position. Amy asked to be removed from the hiring committee so she could concentrate on the financial reports. Steve is working on replacing her with another CVB member. The open position is going to be advertised again for applicants.
- Food Truck Friday committee meeting scheduled for January 11, 2019 at 4:00 pm at Schmidt Associates.
- Wayfinding – Steve is going to present an update to Carthage City Council. The 3M material Corbin specified does not exist anymore. CDL has a plan to use a similar product but better to keep the project moving forward.
- Wendi Douglas is going to be contracted to complete the 2020 MAC Grant.
- Mishell Hoover has agreed to read CVB emails and respond as needed.

City Liaison Report – Not present

Chamber Report – Chamber staff now focusing on banquet. The biggest issue for the Chamber helping with lack of a CVB Executive Director is answering all of the phone calls.

President's Report – Big focus is to fill the Executive Directors vacancy

Director's Report – None

Motion to move to closed meeting by Mishell and Second by Amy, motion Passed.

Motion to adjourn closed session by Mishell and second by Matt, motion passed.

Motion to adjourn meeting by Gregg and second by Stephanie, motion passed.

Respectfully submitted by Gregg Wolf

Carthage CVB Board Meeting Minutes

February 6, 2019

Members Present – Steve Willis, Gregg Wolf, Matt Freeman, Mishell, Hoover, Amy Campbell, Jonathan Roberts, Stephanie Howard, Anthea Harbin.

Liaisons Present – None

Ex – officio Present – Mark Eliff

Meeting called to order at 8:05 AM by Steve Willis, meeting being held at Quality Inn

Secretary Report – With a motion from Stephanie and a second from Amy, minutes from January 7, 2018 meeting were approved.

Treasurer's Report – Nothing major to report. Recommended we close the Art Walk account, motion by Stephanie and second from Matt, motion passed.

Lodging Tax – Lodging is down compared to last year.

Old Business – None

New Business –

- Hiring Committee – Had two great candidates. Niki Cloud is being recommended for position of new CVB Director. Motion from Amy and second from Jonathan, motion passed to offer Niki Cloud the position.
 - Hiring Details – Going to be paid \$15.00 per hour up to 40 hours per week until June 30, 2019. July 1, 2019 start her salary at \$32,500 per year until June 30, 2020 and then possible raise to \$36,000 per year. 40 hours of paid leave for 1st year of contract.
- Food Truck Friday committee met on January 11, 2019 at 4:00 pm at Schmidt Associates. Caleb Stiles reported he has met with Carthage City Committees and is preparing for FTF season. Directors are going to be available to accept applications for FTF.
- Wayfinding – CDL is behind. Steve is going to get a production schedule to hopefully make sure they keep on schedule to get signs finished.
- Wendi Douglas is going to be contracted to complete the Grant that is due February 20.

City Liaison Report – Not present

Chamber Report – Chamber staff working on Business Expo, Egg's and Issue's and Candidate Forum.

President's Report – Nothing to share

Director's Report – None

Motion to move to closed meeting by Stephanie and Second by Mishell, motion Passed.

Motion to adjourn closed session by Stephanie and second by Amy, motion passed.

Motion to adjourn meeting by Matt and second by Stephanie, motion passed.

Respectfully submitted by Gregg Wolf

Carthage Chamber of Commerce Board of Directors

Thursday, May 16, 2019 at 7:30 a.m.

Members present:

Roy Mason, Chair
Kimberly Fullerton, Treasurer
Steve Willis, Past Chair
Becky Andrews
Dr. Jon Haffner
Tina Hallmark
Stephanie Howard, ex-officio
Elizabeth Simmons
Gregg Wolf, ex-officio

Members absent:

Brian Schmidt, Vice Chair
Paul Eckels
Tom Flanigan, ex-officio
Robert Goar
John Lenahan
Tom Short, ex-officio
Scott Watson

Liaisons present:

Niki Cloud, liaison
Mike Daugherty, liaison

Liaisons absent:

Jim Benton, liaison

Staff present:

Mark Elliff, Pres/Sec
Mary Jo Little
Neely Myers

Quorum being present, Board Chair Mason began the meeting at 7:33 a.m.

Consent agenda was presented for review. There being no changes, Willis moved to approve the consent agenda, Haffner seconded the motion, and the motion carried unanimously.

CVB: Cloud reported wayfinding signs had been installed, a successful second Food Truck Friday event with excellent turnout from vendors, and marketing matching grant due by the end of the month.

Ministerial Alliance: no report

Vision Carthage: Myers reported workdays on Grant Street and for Carthage in Bloom were scheduled, American in Bloom judges would be visiting, and the City budget was expected to include money for improvements to Memorial Hall's parking lot. Elliff added that Habitat for Humanity has a program that can be used on structural work on a house that will be considered on Grant Street that was beyond the scope of Vision's work.

Chairman's report: Mason thanked Little for her years of service and wished her the best in her new endeavor.

President's report: There were no questions regarding the written report in the Board packet. Elliff added that the consortium with the state ED, Crowder College, and the Carthage Technical Center had been postponed, with an industry survey in the works. He announced that the FY19-20 budget would be presented for review at the June meeting, rescheduled to June 27. He noted that in light of Little's resignation, financial processing would be outsourced to Serenity Keeper and other adjustments would be announced.

City of Carthage: Daugherty reported the negotiations with the railroad regarding bridge maintenance were moving forward, that MoDOT work to make intersections ADA compliant was being planned, that a historic but dilapidated building at Oak & McGregor was being evaluated for demolition, and that the feral cat program was being considered for discontinuation.

Jasper County: no report.

Old Business: None.

New Business: None.

Other Business: None.

Strategic Planning: tabled for closed session.

Upcoming events:

1. 5/21 LAST Eggs & Issues at Crowder College
2. 5/23 Business After Hours w/Carthage Shrine Train Crew
3. 5/27 Chamber office closed for Memorial Day
4. 5/30 Google business seminar CANCELLED
5. 5/30 Emerging Leaders planning meeting at Mother Road Coffee, 3 p.m.
6. 5/31 Maple Tree Terrace ribbon cutting, 4 p.m.
7. 6/7 Chamber Birthday Party/Community "Thank You", 11 a.m.-1 p.m.
8. 6/13 Big Dog Boutique ribbon cutting, 10 a.m.
9. 6/27 Chamber Board of Directors meeting, 7:30 a.m. DATE CHANGE

There being no additional reports and no further business, Hallmark moved to take the meeting into closed session in accordance with RSMO 610.021 at 7:50 a.m., Willis seconded the motion, and the motion carried unanimously.

While in closed session, no action was taken.

Willis moved to end the closed session at 8:40 a.m., Hallmark seconded the motion, and the motion carried unanimously.

Hallmark moved to adjourn the meeting at 8:41 a.m., Willis seconded the motion, and the motion carried unanimously.

The next meeting of the board is scheduled for Thursday, June 27 at 7:30 a.m. at the Chamber office.

Carthage Chamber of Commerce Board of Directors

Thursday, June 24, 2019 at 7:30 a.m.

Members present:

Brian Schmidt, Vice Chair
Steve Willis, Past Chair
Becky Andrews
Paul Eckels
Kimberly Fullerton, Treasurer
Robert Goar
Stephanie Howard, ex-officio
Elizabeth Simmons
Scott Watson

Members absent:

Roy Mason, Chair
Tom Flanigan, ex-officio
Dr. Jon Haffner
Tina Hallmark
John Lenahan
Tom Short, ex-officio
Gregg Wolf, ex-officio

Liaisons present:

Jim Benton, liaison
Niki Cloud, liaison

Liaisons absent:

Mike Daugherty, liaison

Staff present:

Mark Elliff, Pres/Sec
Shontell Harris

Staff absent:

Neely Myers

Quorum being present, Board Vice Chair Schmidt began the meeting at 7:31 a.m.

Consent agenda was presented for review. There being no changes, Willis moved to approve the consent agenda, Haffner seconded the motion, and the motion carried unanimously.

CVB: Cloud mentioned Route 66 passports are a hit. We've have had increased travelers visiting the Chamber and CVB. She reported that an application was submitted for marketing matching grant with the Division of Tourism.

Ministerial Alliance: Benton reported Night of Worship during Maple Leaf will be held at Fairview Christian Church. They will be offering gas cards to be distributed to those in need.

Vision Carthage: Elliff reported a subcommittee will review applications for an Executive position for about 20 hours a week. He reported that a committee will be formed place to help with the upcoming census gathering.

New Business:

- A) City Contract for Economic Development Services: The City Council approved Council Bill 19-24 on June 11th 2019 which is the 2019-2020 Contract for Economic Development Services between the Chamber and the City. We had been advised prior that the Mayor was to appoint a committee of three Council Members, along with three CWEP Board Members and three Chamber Board Members to come to a consensus on the changes in the contract. Board Chair Mason had talked with the City Administrator on Monday June 10th 2019 and the City Administrator stated that they (undefined) had met and no changes would be made to the agreement. The Chamber was never involved in any meeting. After much discussion, Steve Willis moved to approve the agreement with the stipulation that the Chamber would continue to work for an open discussion between the Chamber, City and CWEP regarding economic development services. Paul Eckels seconded. Motion carried with one no vote.
- B) 2019-2020 Budget: Watson motioned, Goar seconded and motion passed to approve budget.

Chairman's report: None

President's Report: None

City of Carthage: No report

Jasper County: No report

Old Business: None

Other Business: None

Strategic Planning: None

Upcoming events:

1. 7/4..... Happy 4th of July!!Chamber office closed for holiday
2. 7/8..... Monday Member Meet-up, 2:00 p.m.
3. 7/17.....Quarterly Luncheon, location TBD
4. 7/18.....Chamber Board of Directors meeting, 7:30 a.m.
5. 7/24 Social Media for Business Seminar, Noon
6. 7/25 Chamber 101, 9 a.m.

There being no additional reports and no further business, Beth moved to adjourn the meeting at 8:37 a.m., Willis seconded the motion, and the motion carried unanimously.

The next meeting of the board is scheduled for Thursday, August 15 at 7:30 a.m. at the Chamber office.

Carthage CVB Board Meeting Minutes

July 10, 2019

Members Present: Anthea Harbin, Stephanie Howard, Manny Maturino, Jonathan Roberts, Steve Willis, Gregg Wolf, Staff: Niki Cloud

Meeting called to order at 8:11am, by Steve Willis at the Carthage Y Downtown Location.

Approval of Minutes: *A motion was made by Jonathan, second from Stephanie and passed to approve minutes from the June 11, 2019 meeting.*

Treasurer's Report: Amy will work on those to get out. Lodging tax report was presented, would like to have more clarification on accrual vs. actual in those numbers. Niki attended city council meeting of first and second reading of the 2019-2020 CVB budget, it was passed.

Executive Director Report: Niki spoke on the success of the Route 66 passport book. Niki reported June findings from the Searching Engine Marketing.

Old Business-

Wayfinding Signs-Steve, Zeb & Niki met with CDL Monday July 8. Records between the city, CVB, CDL & MODOT are not totally agreed upon, having a permit issue with MODOT.

Visitor Guide-Niki might have a lead on finding someone to help with the updates thru Missouri Career Center, idea to change the guide to make it easier to mail.

Grants-FY20 Marketing Matching Grant and FY20 Marketing Platform Grant (both from MO Division of Tourism) have been approved. Mishell & Niki met with Holmes Photography about the MPG grant and their work as the photographer. Niki submitted the request for the Joplin CVB grant, hope to hear back soon.

Merger Discussion-Working to get a meeting scheduled between Chamber exec board & CVB exec board.

New Business-No report

City Liaison Report-No report

Chamber Report-No report

Motion to adjourn meeting was made and second at 9:15am

The next meeting will be August 14, 2019, 8am, location to be determined.

Carthage Chamber of Commerce Board of Directors

Thursday, July 18, 2019 at 7:30 a.m.

Members present:

Roy Mason, Chair
Steve Willis, Past Chair
Becky Andrews
Kimberly Fullerton, Treasurer
Dr. Jon Haffner
Tina Hallmark
Stephanie Howard, ex-officio
Elizabeth Simmons

Members absent:

Brian Schmidt, Vice Chair
Tom Flanigan, ex-officio
Paul Eckels
Robert Goar
John Lenahan
Tom Short, ex-officio
Scott Watson
Gregg Wolf, ex-officio

Liaisons present:

Niki Cloud, liaison
Mike Daugherty, liaison

Liaisons absent:

Jim Benton, liaison

Staff present:

Mark Elliff, Pres/Sec
Neely Myers
Shontell Harris

Quorum being present, Board Chair Mason began the meeting at 7:37 a.m.

Consent agenda was presented for review. The Financial Report was moved to be discussed separately. Willis moved to approve the consent agenda, Haffner seconded the motion, and the motion carried unanimously.

Elliff reviewed the year end financial report and stated that he expected a few accounting adjustments before the books would be closed and sent to the accountant to prepare for the audit.

CVB: Cloud reported Route 66 passports are still going strong. She has ordered a new passport stamp for Boots Motel to use on the weekends when the visitor center is closed. For Marian Days Festival she reported instead of water guns for the kids this year, "Cop-sickles" will be handed out.

Vision Carthage: Elliff and Myers reported last meeting was about the planters on the Square, looking for grant opportunities for an artificial Christmas Tree and the flowerpots at the Chamber.

Chairman's report: Mason stated our goal is to open a conversation with the City on reporting. We need a clearer directive to what information they are wanting. He also stated there needs to be more growth in Myers Park. Elliff reported senior apartments voiced to him they would like to expand.

City of Carthage: Daugherty wanted to clarify that the City owns the driving range. He reported there has been a discussion on planning and zoning for Medical Marijuana. The overall guidelines will be the same as the State. Daugherty also stated that the CWEP will be requesting get kill switch boxes on the outside of homes and businesses instead of having on the inside.

Strategic Planning: Educating the community on the value of the Chamber.

Ministerial Alliance: None

New Business: None

President's Report: None

Jasper County: No report

Old Business: None

Other Business: None

Upcoming events:

1. 7/24 ... Social Media for Business Seminar, Noon
2. 7/25 ... Chamber 101, 9 a.m.
3. 9/25 ... Carthage Emerging Leaders Lunch and Learn, 11:45 a.m.
4. 7/30 ... Quarterly Luncheon @ Carthage Water & Electric, 11:45 a.m.
5. 8/1 ... Carthage Emerging Leaders @ Marian Days, Noon
6. 8/5 ... New Teacher's Breakfast, 8 a.m.

7. 8/12 ... Monday Member Meet-up, 2 p.m.
8. 8/14 ... OCH Jasper County Ribbon Cutting, 10:30 a.m.

There being no additional reports and no further business, Willis moved to adjourn the meeting at 8:25 a.m., Hallmark seconded the motion, and the motion carried unanimously.

The next meeting of the board is scheduled for Thursday, August 15 at 7:30 a.m. at the Chamber office.

Carthage CVB Board Meeting Minutes

August 14, 2019

Members Present: Anthea Harbin, Stephanie Howard, Manny Maturino, Jonathan Roberts, Steve Willis, Gregg Wolf, Amy Campbell, Mishell Hoover, Mark Elliff Staff: Niki Cloud

Meeting called to order at 8:11am, by Steve Willis at Mis Arcos.

Approval of Minutes: *A motion was made by Jonathan, second from Stephanie and passed to approve minutes from the July 10, 2019 meeting.*

Treasurer's Report: Copies of the Balance Sheet & Profit & Loss from June 30, 2019, were presented. Lodging tax report was presented reflecting July 2019 to July 2018. The city owes CVB an additional \$3364.83 for FY2019.

Old Business-

New Business-

Food Truck Friday-August event had 24 food trucks and 17 table top vendors. September 13 will be the last one for 2019, Niki will be out of town. Carthage Parks has been great to work with. FTF committee meeting Thursday August 15, 11am. Currently a little over \$24k in FTF account. *A motion was made by Stephanie, second from Gregg and passed to seek legal advice to resolve ownership of Food Truck Friday.* Steve, Amy, Niki and possibly Jonathan will serve on that committee.

Wayfinding Signs-CVB has received an invoice for \$48,863.50 completing phases 1-4. CVB received a call from CDL asking when to start phase 5. Niki will inspect phase 1-4 signs and report to CDL what needs to be "fixed" before submitting payment.

City Liaison Report-No report

Chamber Report-Employment numbers have increased over the past 5 years. Chamber membership on increase. Chamber working on Maple Leaf and annual banquet. Possibly industry expansion of 30 new jobs.

Executive Director Report-Attended state fair August 11 in the co-op booth with MO Division of Tourism. Will attend Governor's Conference on Tourism October 8-10 in Columbia. Spoke about Media/Legislative tour during Marian Days. Distributed Search Engine Marketing info for the month of July 2019. Will investigate getting flags/banners over the bridge/viaduct east part of town to welcome visitors.

Merger Discussion-Steve, Mishell, Niki met with Chamber board Roy, Kimberly, Mark on merger. CVB needs to approve then Chamber will discuss. Niki will contact a few more CVBs to get their impressions on mergers. CVB will reach out to the city to get their input.

Motion to adjourn meeting was made and second at 10:08am

The next meeting will be September 11, 2019, 8am at Carthage Water & Electric.

Carthage Chamber of Commerce Board of Directors

Thursday, August 15, 2019 at 7:30 a.m.

Members present:

Roy Mason, Chair
Brian Schmidt, Vice Chair
Steve Willis, Past Chair
Becky Andrews
Paul Eckels
Kimberly Fullerton, Treasurer
Robert Goar
Dr. Jon Haffner
Tina Hallmark
Stephanie Howard, ex-officio
Elizabeth Simmons
Scott Watson

Members absent:

Tom Flanigan, ex-officio
John Lenahan
Tom Short, ex-officio
Gregg Wolf, ex-officio

Liaisons present:

Mike Daugherty, liaison

Liaisons absent:

Jim Benton, liaison
Niki Cloud, liaison

Staff present:

Mark Elliff, Pres/Sec
Neely Myers
Shontell Harris

Quorum being present, Board Chair Mason began the meeting at 7:30 a.m.

Consent agenda was presented for review. Willis moved to approve the consent agenda, Haffner seconded the motion, and the motion carried unanimously.

CVB: Cloud absent but left information to report to Willis. September 13 is the last food truck Friday for this year and Cloud will not be here as she will be attending a conference. Arrangements have been made in her absence.

Vision Carthage: Elliff and Myers reported last meeting was about the planters on the Square, looking for grant opportunities for an artificial Christmas Tree and the flowerpots at the Chamber.

- Chairman's report: Mason stated we are still working out who we are reporting to at the City.

City of Carthage: Daugherty let us know that Carthage Water and Electric is ready to meet deadline.

Strategic Planning: Elliff referred to our packet information on Economic Development

Ministerial Alliance: None

New Business: None

President's Report: Elliff stated that there will be an overage check sent to back to the city as we were under budget.

Jasper County: No report

Old Business: None

Other Business: None

Upcoming events:

1. 8/15 ... iPhone Restoration Ribbon Cutting, 10 a.m.
2. 8/20 ... Value Proposition Lunch & Learn w/SBDC Missouri Southern, 12 p.m.
3. 8/27 ... Leads Group Two, 9 a.m.
4. 8/28 ... Chamber 101, 9 a.m.
5. 8/29 ... Women's Network Round Table Brunch, 11:05 a.m.
6. 9/2 ... Carthage Chamber Office will be closed for Labor Day
7. 9/3 ... Banquet Committee Meeting, 4 p.m.
8. 9/5 ... Maple Leaf Committee Meeting, 4 p.m.
9. 9/9 ... Monday Morning Meet-up, 2 p.m.

10. 9/9 ... Leads Group One, 2:30 p.m.
11. 9/11 ... Non-profit Network Meeting, 9 a.m.
12. 9/13 ... Mid-Morning Mingle, 10:30 a.m.
13. 9/17... Marketing/Expo Committee Meeting, 4 p.m.

There being no additional reports and no further business, Schmidt moved to adjourn the meeting at 8:18 a.m., Willis seconded the motion, and the motion carried unanimously.

The next meeting of the board is scheduled for Thursday, September 19 at 7:30 a.m. at the Chamber office.

Carthage CVB Board Meeting Minutes

September 11, 2019

Members Present: Anthea Harbin, Stephanie Howard, Jonathan Roberts, Steve Willis, Gregg Wolf, Amy Campbell, Matt Freeman, Mark Elliff Staff: Niki Cloud

Meeting called to order at 8:10am, by Steve Willis at Carthage Water & Electric.

Steve asked the board for a moment of silence in remembrance of September 11, 2001

Approval of Minutes: *A motion was made by Stephanie, second from Matt and passed to approve minutes from the August 14, 2019 meeting.*

Treasurer's Report-

Copies of the Balance Sheet & Profit & Loss from July 31 & August 31, 2019, were presented. Lodging tax report was presented reflecting August 2019 to August 2018, July 2019 to July 2018. Over \$12,000 has been collected from FY19Q4 Marketing Matching Grants and over \$3000 from the City of Carthage. An upcoming expense will be the Missouri Life TV episode at \$3000 (Director is requesting to see a copy of the contract for this). A second reading of updating the CVB/City contract to include \$50,000 for wayfinding signs was passed at city council. There was discussion of how much can the director is allowed to spending on marketing. Niki & Amy will get together to look at the budget, the amount of \$1500 was put on the table.

Old Business-

Food Truck Friday-September event (this upcoming Friday) has 25 food trucks and 15 table top vendors. Niki will be out of town, Steve is in charge. An end of the season FTF committee meeting will happen at a later date.

Wayfinding Signs-Niki emailed CDL about the signs that need to be fixed before a check is sent. *Motion was made by Jonathan, second from Stephanie and passed to form a committee to discuss phase 5 of the project.* Niki will reach out to 4 people to assist.

Merger Discussion-Niki discussed other communities with the Chamber/CVB set up, works well in Moberly, membership based CVB for Branson & Lake of the Ozarks. Steve spoke with mayor & city administrator. The lodging tax money is protected to have to be spent on tourism. *Motion was made by Gregg, second from Matt for the CVB to merge with the Chamber.* An electronic vote will be sent out by Steve later today and votes need to be submitted by September 18.

New Business-

New board members-Steve asked everyone to think of new board members since terms for himself and Matt Freeman will be going off.

City Liaison Report-Not in attendance

Chamber Report-Busy time with Maple Leaf fast approaching and banquet in January.

Executive Director Report-Will attend Governor's Conference on Tourism October 8-10 in Columbia. Search Engine Marketing results for August 2019 similar to that of July 2019. Spoke with Sign Design to get a quote for flags/banners over the bridge/viaduct east part of town to welcome visitors. Working on collecting items for silent auction for Tourism Auction with Missouri Travel Council. Roger with Hardy, Wrestler & Associates will be at the office September 16 for the CVB audit. The visitors guide will be \$560 and the historical homes guide will be \$80 plus the cost of printing, provided by Leggett & Platt creative services.

Motion was made, second and passed to pay director a flat mileage rate of \$75 per month for "around town" travel, \$10 for email and \$50 for cell phone.

Motion was made by Stephanie, second by Amy and passed to adjourn meeting at 10:08am

The next meeting will be October 9, 2019, 9:20am at Lucky J.

Carthage Chamber of Commerce Board of Directors

Minutes of Electronic Vote Wednesday, September 25, 2019

Members present:

Becky Andrews
Paul Eckels
Kimberly Fullerton
Bob Goar

Jon Haffner
Tina Hallmark
John Lenahan
Roy Mason

Brian Schmidt
Beth Simmons
Scott Watson
Steve Willis

On Monday, September 23, 2019, at 5:01 p.m., Mark J. Elliff, President and Secretary of the Carthage Chamber of Commerce emailed the following to the Board of Directors:

Per President Mason, please vote on the following question which is now open and the voting will be closed at 10:00 AM on Wednesday September 25th 2019. Please vote either "I vote Yes" or I vote No" and use Reply All.

Mark Elliff, President moves that the Carthage Chamber of Commerce accept the proposal from the Convention and Visitors Bureau to merge the Carthage Convention and Visitors Bureau into the Chamber of Commerce.

The electronic votes received were from voting Directors and at 10:05 a.m. on Wednesday, September 25, 2019, Mark J. Elliff, President and Secretary of the Carthage Chamber of Commerce emailed the following to the Board of Directors:

Voting is closed on Motion One. Motion has passed. Thank you. Mark

DRAFT

APPROVED

The Carthage Public Library Board of Trustees Meeting Minutes – October 8, 2019

The Carthage Public Library Board of Trustees met Tuesday, October 8, 2019 in the Carthage Public Library Board Room.

The official meeting was called to order at 5:15 pm by Peggy Ralston.

Roll Call

Board members present were Carrie Campbell, Gary Cole, Miriam Putnam, Eric Putnam, Donna Maggard, Peggy Ralston, and Sandy Swingle. Also present was Julie Yockey, library director. Also present was John Hacker with the Joplin Globe.

Minutes of the Last Meeting

Motion was made to approve the September 10, 2019, by Gary Cole, and seconded by Sandy Swingle. Motion passed unanimously.

Financial Report

Attached. September financial report was presented. A motion to approve financial report was made by Gary Cole and seconded by Miriam Putnam. Motion passed unanimously after accepting required changes.

Director's Progress and Service Report

Attached. Julie presented her October 2019 report.

President's Message

No report

Council Liaison's Report

No report

Committee Reports

Building Committee – Gary provided a summary of bids for the new Educational/Multipurpose Building. After discussion, Gary made the motion to accept the Dalton/Killinger bid of \$484,188.00. Eric Putnam seconded the motion. All voted in favor. The bid will include Randy Dubry as superintendent of the project. Gary reported no changes to the existing roof leaks. The roof is still leaking over the internet area. Kansas City Roofing Company will do repairs.

Budget Committee – No report

Community Relations – Sandy reported that the DAR is volunteering in the ancestry department on Thursday, October 10th.

By-Laws – No report

Library Gardens – Amy Grimes has been contacted regarding the removal of the Tim Geisert memorial tree. She agreed to have it replaced with a sizable tree. Miriam met with

Amy Frieling, master gardener. There is no one currently available to volunteer in the gardens. "Security cameras in use" signs will be added in the future. The Boylan trust has paid for the garden plantings.

ADA Compliance – No report

Communications – No report

Unfinished Business

No report

New Business

John Hacker will write an article on the new Educational/Multipurpose Building for the Joplin Globe.

Payment of Bills

Sandy moved to pay the September bills with a second by Miriam. Motion passed unanimously.

Adjournment

With no further business, Gary made a motion to adjourn the August meeting. Miriam seconded. Motion passed unanimously. Meeting was adjourned at 6:07.


Respectfully submitted,

Carrie Campbell

Secretary

Carthage CVB Board Meeting Minutes

October 9, 2019

Members Present: Matt Freeman, Anthea Harbin, Stephanie Howard, Jonathan Roberts, Steve Willis, Gregg Wolf

Meeting called to order at 8:10am, by Steve Willis at Lucky J.

Approval of Minutes: *A motion was made by Stephanie, second from Anthea and passed to approve minutes from the September 11, 2019 meeting.*

Treasurer's Report-

Copies of the Balance Sheet & Profit & Loss from September 30, 2019, were presented. Lodging tax report was presented reflecting September 2019 to September 2018, August/July 2019 vs August/July 2018. No issues or concerns with the reports.

Old Business-

Food Truck Friday-Steve, Jonathan, Amy & Niki met with attorney Tymon Bay. It was a good thing Caleb never signed the employment contract at the beginning of the 2019 season. "Food Truck Friday" is not trademarked and the name cannot be owned. CVB cannot buy a name. A letter was drafted by attorney and mailed to Caleb about a week ago with a \$5000 offer to not participate for any event in a 50 mile radius for 2 years. Steve got a call from Caleb accepting the letter. Attorney is drafting a non-compete agreement for Caleb to sign. ***A motion was made by Gregg, second from Matt and passed to page up to \$1000 in legal fees to resolve the Food Truck Friday issues.***

Wayfinding Signs-Niki emailed CDL again to finish up phases 1-4 (decorative bases and a few details on the signs need to be addressed). Holding around \$50,000 to be paid to CDL. Niki has also asked for a detailed invoice.

Merger Discussion-Chamber vote on September 25 to merge was 10-1-1. On October 3, had a meeting with mayor, city administrator, city attorney, Niki, Mark & Steve-positive meeting. Have to give them more information as requested. It appears by year end the merger will be finalized.

New Business-None

City Liaison Report-Not in attendance

Chamber Report-In another meeting

Executive Director Report-Niki submitted a written report as she was at the Governor's Conference on Tourism.

Motion was made by Stephanie, second by Matt and passed to adjourn meeting.

The next meeting will be November 13, 2019, 8am, location to be determined.

Carthage Chamber of Commerce Board of Directors

Thursday, October 17, 2019 at 7:30 a.m.

Members present:

Roy Mason, Chair
Brian Schmidt, Vice Chair
Becky Andrews
Mike Daugherty
Paul Eckels
Tom Flanigan, ex-officio
Kimberly Fullerton, Treasurer
Robert Goar
Dr. Jon Haffner
Tina Hallmark
Stephanie Howard, ex-officio
Scott Watson
Greg Wolf, ex-officio

Members absent:

John Lenahan
Tom Short, ex-officio
Elizabeth Simmons
Steve Willis, Past Chair

Liaisons present:

Mike Daugherty, liaison
Jim Benton, liaison
Niki Cloud, liaison

Liaisons absent:

Staff present:

Mark Elliff, Pres/Sec
Neely Myers
Shontell Harris

Quorum was present; Board Chair Mason began the meeting at 7:30 a.m.

Consent agenda was presented for review. Goar first and Haffner seconded the motion passed.

Committee reports- Elliff stated that Maple Leaf festival we sold out of Lip Sync tickets again and did a Facebook Live for the first time for this event. Elliff reported last week that that he attended the Secondary Education conference at the Carthage Tech Center. Really good things will be coming up. Starting from elementary to graduation there are coming up with programs that will get teachers, workforce and students involved to further education. Make transition from school to careers easier.

Partner reports-CVB: Cloud mentioned the Governors Conference. New welcome to Carthage signs will be going up soon. Stand-alone visitors' brochure on the historic homes are being produced. End of September there was a write up in the Missouri Life on Carthage.

Ministerial Alliance-Benton had nothing to report other than God was alive.

Vision Carthage: Elliff reported that they are working on a budget.

Chairman's report: None

President's Report: Elliff reported that Willis and Cloud meet with Tom & Mayor 25th on the merger for the Chamber and CVB was a done deal. What we need to do is work with an attorney by laws. Gave positive and negatives sent out Friday before budget meeting. Continue working with the council.

Elliff handed out the nomination for the committee. Three board and two outside with membership. This was a list of names that came up to put out for the board to vote.

City of Carthage: Daugherty said it has been kind of slow since budget. No old or new. He did discuss the merger that Willis had sent to Tom and forward on to the City Council. Daugherty suggested getting the word out there about the merger. He stated that he'd like the numbers on the votes for and against merger. Elliff stated he would get to him. Daugherty also said that he heard the merger will not affect the Chamber but will affect contract with the CVB. Elliff stated that Willis had a meeting with the Mayor and Tom plus made some phone calls.

Daugherty shared that they brought the public service in on the waterpark. Will report when study is done. Whatever the small or large ideas are. He also let us know that he enjoyed the new events that were added to Maple Leaf Festival.

Strategic Planning: none

New Business: Nothing other than the evaluation for Mark.

Jasper County: Flanigan reported that working through a contract to manage \$50 million. Three contracts, County Assessor's Office updates temporarily moved it near the "Y" on the square. Windmills to go up west of Jasper 1st of November, most will be in Barton County. Windmills will be going up north of Avilla in February. They will be 600 feet tall and will take a few years to complete.

Old Business: None

Other Business: None

Upcoming events:

1. 10/21 ... Chamber & CVB Office will open Noon till 5 p.m.
2. 10/22 ... Leads Group two 9 a.m.
3. 10/29 ... Specialty Risk/Pearson Kelly Ribbon Cutting 10 a.m.
4. 10/30 ... Ambassadors meeting, 4 p.m. moved from 10/9/19
5. 11/5 ... Banquet Committee meeting 4 p.m.
6. 11/9... Maple Leaf 2019 Committee meeting 4 p.m.
7. 11/11 ... Monday Member Meet-up, 2 p.m.
8. 11/11 ... Leads Group One, 2:30 p.m.
9. 11/13... Non-profit Network meeting 9 a.m.
10. 11/14 ... Connect @4 at Halo Salon 4 p.m.
11. 11/19... Marketing/Expo Committee meeting 4 p.m.
12. 11/20... Vision Carthage Committee meeting 7:30 a.m.
13. 11/21... Chamber Board of Directors Meeting, 7:30 a.m.

Meeting called to a close by Schmidt and second by Hallmark, so meeting was closed at 7:58 a.m.

The next meeting of the board is scheduled for Thursday, November 21 at 7:30 a.m. at the Chamber office.

CWEP BOARD MEETING MINUTES

November 14, 2019

The Carthage Water & Electric Plant Board met in regular session November 14, 2019, 4:00 p.m. at the CWEP Office, 627 W Centennial, Carthage, MO.

Board:

- | | |
|---|--|
| ☒ Neel Baucom- President | ☒ Brian Schmidt - Member |
| ☒ Danny Lambeth -Vice President | ☐ Ron Ross – Member |
| ☐ G. Stephen Beimdiek -Secretary | ☒ Pat Goff - Member |
| ☒ Darren Collier -Liaison | |

Staff:

- | | |
|--|--|
| ☒ Chuck Bryant-General Manager | ☒ Jason Choate-Director of Water Services |
| ☒ Cassandra Ludwig-General Counsel | ☒ Kelli Nugent/CFO |
| ☒ Jason Peterson-Director IT & Broadband | ☒ Kevin Emery-Director of Power Services |
| ☒ Megan Stump- Executive Assistant | ☒ Stephanie Howard-Director of Business & ED |
| ☒ Megan Milliken-Customer Relations Mgr. | |

President Baucom called the meeting to order at 4:02p.m.

ADDITIONS/CHANGES TO THE AGENDA: None.

APPROVAL OF MINUTES:

A motion by Schmidt and seconded by Lambeth to approve the minutes of the regular meeting of October 17, 2019 as presented passed unanimously.

APPROVAL OF DISBURSEMENTS:

A motion by Lambeth and seconded by Schmidt to approve disbursements for October in the amount of \$3,219,548.47 passed unanimously.

FINANCIAL STATEMENT:

CFO Nugent presented the financials for August noting that the net income for the utility combined was ahead of budget by \$238,500 but less than prior year by \$282,000 respectively for the month. Operating revenues for all departments were higher than budget for the month and operating expenses were lower than budget for the Electric and Communication Departments but higher than budget for the Water and Wastewater Departments. She noted that for the year to date power and water loss percentages came in at 1.87% and 8.45%, respectively.

A motion by Lambeth and seconded by Schmidt to approve October financials passed unanimously.

COMMITTEE REPORTS: None.

CITIZEN'S PARTICIPATION PERIOD: None.

OLD BUSINESS: None.

NEW BUSINESS:

PRESENTATION OF THE FISCAL YEAR 2019 AUDIT

Rebecca Friedrich, CPA with KPM CPAS & Advisors of Springfield, MO, presented the FY 2018-2019 audit report stating this was an unmodified clean opinion. It was also reported that KPM found no material weaknesses, no non-compliance issues, and no significant control deficiencies. Friedrich commended CWEP staff for their cooperation through the audit process. CFO Nugent expressed appreciation for KPM's professionalism and efficiency in the audit process as well as their guidance when needed throughout the year.

A motion by Lambeth and seconded by Schmidt to accept the audit for FY 2018-2019 as presented passed unanimously.

STAFF REPORTS:

General Manager Bryant noted Carthage Water and Electric Plant received 1526 MWh of supplemental power from SPA in October compared to a 17-year average of 388 MWh. He reported that Independent Electric finished Generator #11's repair and its test results looked good; Power Plant personnel operated the generator for 5 hours without issue. He reported there has been no pretreatment violations for the month. Bryant also noted that construction will begin on WWTP upgrades and should be completed in 450 days. GM Bryant updated the Board on the status of the mobile outage app and also noted that CFO Nugent and her staff are evaluating options on installing a Kiosk. Bryant announced after this week all employees will be CPR, AED and First Aid trained. He informed the Board that the Halloween Food truck fest was a success. GM Bryant announced the date of the Company Christmas Party.

At 4:46p.m. the meeting adjourned.

President – Neel Baucom

Secretary – Steve Beimdiek

***AGENDAS
STANDING
COMMITTEES***

PUBLIC SERVICES COMMITTEE
TUESDAY NOVEMBER 19th, 2019
5:30 P.M.
CITY HALL CONFERENCE ROOM
326 GRANT STREET

Old Business

1. Consideration and approval of minutes from previous meeting

CITIZENS PARTICIPATION

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

New Business

1. Consider and discuss Carthage Community Gardens at Griggs Park
2. Consider and discuss Surplus Bids for Dump Truck and Portable Propane Tank
3. Consider and discuss Park Department Realignment

Staff reports

Other Business

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.

Posted: _____

By: _____

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS

November 26, 2019

5:00 PM

Carthage City Hall

Council Chambers

Old Business

1. Consideration and Approval of Minutes from Previous Meeting
2. Review and Approval of the Claims Report

Citizens Participation

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

New Business

1. Consider and Discuss changes to Parks & Recreation Department job descriptions.
2. Staff Reports

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.)

Posted _____

***AGENDAS
SPECIAL
COMMITTEES
AND BOARDS***

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 12, 2019 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
 ♦ **Tony Moehr-Jasper County Health Department-Discuss DNR Storm Water Funding**
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
 ♦ **Approve Jasper County Employee Holidays for 2020**
10. PUBLIC HEARINGS
 ♦ **Jasper County Auditor-Present the Jasper County 2020 Budget**

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 NOVEMBER 8, 2019 AT 4:00 P.M.

(RSMO 610.020)

Carthage CVB Board Meeting Minutes

November 13, 2019

Members Present: Steve Willis, Gregg Wolf, Manny Maturino, Stephanie Howard, Jonathan Roberts, Mark Elliff, Niki Cloud

Meeting called to order at 8:10am, by Steve Willis at McCune Brooks Foundation Office.

Approval of Minutes: *A motion was made by Stephanie, second from Jonathan and passed to approve minutes from the October 9, 2019 meeting.*

Treasurer's Report-

Copies of the Balance Sheet & Profit & Loss from October 31, 2019, were emailed to the board. Niki presented the lodging tax report reflecting October 2019 to October 2018, and months prior. The money market account at Guaranty Bank is dormant so Niki will move a \$3 to reinstate account.

Old Business-

Food Truck Friday-Caleb signed the contract and accepted the \$5000 offer. There were an additional \$550 in legal fees.

Wayfinding Signs-Niki emailed CDL October 30 and asked for a detailed invoice but has not received it yet.

New Business-None

City Liaison Report-Not in attendance

Chamber Report-Maple Leaf went well, now on to banquet, business expo and working on the budget.

President Report-The merger of the CVB and Chamber was not favorable by the city council so the issue is dead. Steve is very disappointed with the city administrator and council. Steve will start searching for three new board members since Matt Freeman and himself will be going off and Amy Campbell has accepted a new position and will resigned from the CVB board.

Executive Director Report-Niki spoke about search engine marketing results, receiving a second round of photographs from Holmes Photography, taking vacation the week of December 23, finishing the visitors guide and historical homes guide.

Motion was made by Gregg, second by Steve and passed to adjourn meeting.

The next meeting will be December 9, 3:30pm at the Chamber of Commerce office.



AGENDA

Notice is hereby given that the Carthage Water & Electric Plant Board will meet November 14, 2019, 4:00 p.m. at the CWEP Complex, 627 W. Centennial, Carthage. The tentative agenda of the regular meeting includes:

ADDITIONS TO THE AGENDA

APPROVAL OF THE BOARD MINUTES: October 2019

APPROVAL OF DISBURSEMENTS: October \$3,219,548.47

FINANCIAL STATEMENT: October

COMMITTEE REPORTS

CITIZENS PARTICIPATION PERIOD:

OLD BUSINESS: None.

NEW BUSINESS:

1. Presentation of the Fiscal Year 2019 Audit

STAFF REPORTS

BOARD MEMBER COMMENTS

Persons with disabilities who need special assistance may call 417-237-7300 or 1-800-735-2466 (TDD via Relay Missouri) at least 24 hours prior to meeting.

Representatives of the news media may obtain copies of this notice by contacting:
Megan Stump, P O Box 611 Carthage, MO 64836 417-237-7300

John Bartosh
Presiding Commissioner

Tom Flanigan
Eastern District Commissioner

Daricus 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 26, 2019
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
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
 ♦ **Approve Contract for Purchase of Real Estate at 606, 608, 610 and 614 South Pearl and 601 South Byers in Joplin.**
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 NOVEMBER 22, 2019 AT 4:00 P.M.

(RSMO 610.020)

CITY OF CARTHAGE

Planning, Zoning, and Historic
Preservation Commission

AGENDA

Date of Meeting: 12/5/2019

Place: City Hall Chambers
326 Grant St.

Time: 5:30 pm



To Consider the following items:

1. Requested by: Nikki Gonzales

Request type: Certificate of Appropriateness

Project Location: 204 E 4th St

Reason for Hearing: Request placement of exterior signage

2. Requested by: Nate Shillington /Schreiber Foods Inc

Request type: Annexation

Project Location: W of Hazel & N of George E Phelps Blvd.

Reason for Hearing: Request is for annexation of 3 parcels - 107 acres.

3. Requested by: John Werner / Schreiber Foods Inc

Request type: Rezoning

Project Location: W of Hazel & N of George E Phelps Blvd.

Reason for Hearing: Request to rezone (contingent upon annexation) property from 'A' First Dwelling to 'F' Light Industrial

4. Requested by:

Request type:

Project Location:

Reason for Hearing:

5. Requested by:

Request type:

Project Location:

Reason for Hearing:

Commission Members

Voting Members:	Chairman	Harry Rogers	1350 S Main St	417-358-4527
	Vice Chairman	Abi Almandinger	1220 S Main	417-793-6589
	Secretary	Bill Barksdale	1314 S Garrison	417-388-2464
	Member	Mark Elliff	1511 Grand	417-358-3613
	Member	Levi Utter	502 E Centennial	417-540-6565
	Member	Vacant	Vacant	Vacant
	Member	Jim Swatsenbarg	601 Howard	417-358-1690

Non-Voting Members:	Mayor	Dan Rife	City Hall	417-237-7003
	Councilmember	Ed Barlow		
	City Administrator	Tom Short	City Hall	417-237-7003

Staff:	Public Works Director	Zeb Carney	Public Works Department	417-237-7010
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CORRESPONDENCE



November 1, 2019

Dear Honorable Judge, Mayor and City Officials:

Altice USA, Inc. ("Altice USA" or "the Company") hereby notifies your office that effective December 2, 2019, the Sports Programming Surcharge and the Broadcast Station Surcharge for new residential video customers will be \$6.65/month and \$15.00/month, respectively. This impacts new video customers only.

This change reflects the rising costs to acquire sports and broadcast programming, only a portion of which are passed on to customers. Suddenlink pricing is comparable to other providers, and the Company continues to offer a wide array of products and packages to meet the needs and budgets of all of our customers.

Current rate information is available on our website at www.Suddenlink.net.

Should you have any questions, please do not hesitate to contact me at 347-527-3424.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Ayers".

Brad Ayers
Senior Director, Government Affairs



i24 NEWS: Effective 12/19/2018, the Company will now make *i24NEWS* available on channel 49 instead of Channel 83, which will be removed. Launched last February, *i24NEWS* is a news and current affairs network, providing international and domestic news.

Commercial Rate Changes: Effective 12/19/2018 for new customers, and 1/1/2019 for existing customers, the following monthly rate changes will be made in an effort to offset rising programming costs. These changes do not affect any residential customers.

- Broadcast Basic will increase by \$1.51 per month, Expanded Basic will increase by \$2 per month.
- Hospitality Basic will increase by \$1.51 per month, Hospitality Total Basic will increase by \$3.51 per month.
- Broadcast Station Surcharge will increase by \$1.05 per month.

TARGETED BUDGETED ROUNDS..... 20,000				2019 - 2020		DIFFERENCE			
	<u>AVG %</u>	<u>BUDGETED 20</u>		<u>ACTUAL</u>		<u>MONTHLY</u>		<u>CUMULATIVE</u>	
	<u>15 - 19</u>	<u>MONTHLY</u>	<u>CUMULATIVE</u>	<u>MONTHLY</u>	<u>CUMULATIVE</u>	<u>AMOUNT</u>	<u>PERCENT</u>	<u>AMOUNT</u>	<u>PERCENT</u>
Jul	13.36%	2,672	2,672	2,787	2,787	115	4.29%	115	4.29%
Aug	12.10%	2,419	5,091	2,131	4,918	-288	-11.91%	-173	-3.41%
Sep	11.80%	2,359	7,451	2,247	7,165	-112	-4.76%	-286	-3.83%
Oct	8.41%	1,682	9,133	1,373	8,538	-309	-18.38%	-595	-6.51%
Nov	4.26%	851	9,984	0	8,538	-851	-100.00%	-1,446	-14.48%
Dec	2.69%	538	10,522	0	8,538	-538	-100.00%	-1,984	-18.86%
Jan	3.22%	645	11,167	0	8,538	-645	-100.00%	-2,629	-23.54%
Feb	3.69%	738	11,904	0	8,538	-738	-100.00%	-3,366	-28.28%
Mar	6.54%	1,307	13,212	0	8,538	-1,307	-100.00%	-4,674	-35.38%
Apr	9.36%	1,872	15,083	0	8,538	-1,872	-100.00%	-6,545	-43.39%
May	11.31%	2,263	17,346	0	8,538	-2,263	-100.00%	-8,808	-50.78%
Jun	13.27%	2,654	20,000	0	8,538	-2,654	-100.00%	-11,462	-57.31%
TOTAL	100.00%	20,000							

TARGETED BUDGETED REVENUES \$ 440,315.00				CITY REVENUE REPORTS		DIFFERENCE			
	<u>AVG %</u>	<u>BUDGETED 20</u>		<u>ACTUAL</u>		<u>MONTHLY</u>		<u>CUMULATIVE</u>	
	<u>15 - 19</u>	<u>MONTHLY</u>	<u>CUMULATIVE</u>	<u>MONTHLY</u>	<u>CUMULATIVE</u>	<u>DOLLAR</u>	<u>PERCENT</u>	<u>DOLLAR</u>	<u>PERCENT</u>
Jul	13.74%	\$ 60,501.16	\$ 60,501.16	\$59,184.55	\$ 59,184.55	-\$ 1,316.61	-2.18%	-\$ 1,316.61	-2.18%
Aug	11.73%	\$ 51,637.25	\$ 112,138.41	\$44,898.81	\$ 104,083.36	-\$ 6,738.44	-13.05%	-\$ 8,055.05	-7.18%
Sep	11.11%	\$ 48,905.58	\$ 161,043.99	\$49,503.96	\$ 153,587.32	\$ 598.38	1.22%	-\$ 7,456.67	-4.63%
Oct	9.53%	\$ 41,968.36	\$ 203,012.36	\$29,640.56	\$ 183,227.88	-\$ 12,327.80	-29.37%	-\$ 19,784.48	-9.75%
Nov	5.23%	\$ 23,030.69	\$ 226,043.04	\$0.00	\$ 183,227.88	-\$ 23,030.69	-100.00%	-\$ 42,815.16	-18.94%
Dec	3.28%	\$ 14,444.20	\$ 240,487.24	\$0.00	\$ 183,227.88	-\$ 14,444.20	-100.00%	-\$ 57,259.36	-23.81%
Jan	2.85%	\$ 12,569.69	\$ 253,056.93	\$0.00	\$ 183,227.88	-\$ 12,569.69	-100.00%	-\$ 69,829.05	-27.59%
Feb	2.72%	\$ 11,968.52	\$ 265,025.45	\$0.00	\$ 183,227.88	-\$ 11,968.52	-100.00%	-\$ 81,797.57	-30.86%
Mar	5.62%	\$ 24,747.46	\$ 289,772.91	\$0.00	\$ 183,227.88	-\$ 24,747.46	-100.00%	-\$ 106,545.03	-36.77%
Apr	9.41%	\$ 41,455.22	\$ 331,228.13	\$0.00	\$ 183,227.88	-\$ 41,455.22	-100.00%	-\$ 148,000.25	-44.68%
May	12.39%	\$ 54,535.64	\$ 385,763.77	\$0.00	\$ 183,227.88	-\$ 54,535.64	-100.00%	-\$ 202,535.89	-52.50%
Jun	12.39%	\$ 54,551.23	\$ 440,315.00	\$0.00	\$ 183,227.88	-\$ 54,551.23	-100.00%	-\$ 257,087.12	-58.39%
TOTAL	100.00%	\$ 440,315.00							

TARGETED BUDGETED EXPENDITURES..... \$613,011				2019-20		DIFFERENCE			
	<u>AVG %</u>	<u>BUDGETED 20</u>		<u>ACTUAL</u>		<u>MONTHLY</u>		<u>CUMULATIVE</u>	
	<u>15 - 19</u>	<u>MONTHLY</u>	<u>CUMULATIVE</u>	<u>MONTHLY</u>	<u>CUMULATIVE</u>	<u>AMOUNT</u>	<u>PERCENT</u>	<u>AMOUNT</u>	<u>PERCENT</u>
Jul	7.27%	44,540.04	44,540.04	\$51,536.78	\$51,536.78	\$6,996.74	15.71%	\$6,996.74	15.71%
Aug	9.86%	60,459.10	104,999.14	\$49,184.81	\$100,721.59	-\$11,274.29	-18.65%	-\$4,277.55	-4.07%
Sep	8.72%	53,479.41	158,478.55	\$47,843.46	\$148,565.05	-\$5,635.95	-10.54%	-\$9,913.50	-6.26%
Oct	9.63%	59,004.01	217,482.56	\$47,255.63	\$196,000.68	-\$11,748.38	-19.91%	-\$21,481.88	-9.88%
Nov	7.52%	46,128.33	263,610.89	\$0.00	\$196,000.68	-\$46,128.33	-100.00%	-\$67,610.21	-25.65%
Dec	8.81%	54,019.62	317,630.51	\$0.00	\$196,000.68	-\$54,019.62	-100.00%	-\$121,629.83	-38.29%
Jan	6.83%	41,894.24	359,524.74	\$0.00	\$196,000.68	-\$41,894.24	-100.00%	-\$163,524.06	-45.48%
Feb	6.10%	37,401.69	396,926.43	\$0.00	\$196,000.68	-\$37,401.69	-100.00%	-\$200,925.75	-50.62%
Mar	8.09%	49,611.93	446,538.36	\$0.00	\$196,000.68	-\$49,611.93	-100.00%	-\$250,537.68	-56.11%
Apr	8.84%	54,206.92	500,745.28	\$0.00	\$196,000.68	-\$54,206.92	-100.00%	-\$304,744.60	-60.86%
May	8.64%	52,950.60	553,695.88	\$0.00	\$196,000.68	-\$52,950.60	-100.00%	-\$357,695.20	-64.60%
Jun	9.68%	59,315.12	613,011.00	\$0.00	\$196,000.68	-\$59,315.12	-100.00%	-\$417,010.32	-68.03%
TOTAL	100.00%	613,011.00							

Tom, here is an update regarding the things we discussed yesterday. I don't have an update on the road as Jason and I have been unable to talk prior to me calling CRESA.
Thanks, Mark

Update on Project VACCA
Carthage, MO
November 22, 2019

At the November 12th City Council meeting, I reported an update on Project VACCA, now disclosed as Schreiber Foods. The update stated that they had filed the Notice of Intent with the Missouri Department of Economic Development for the local project. Additionally, I received an update this past week regarding where we are on this process.

In addition to the documents filed with the State, a formal request for Annexation has been submitted to the Public Works Department to be placed on the December meeting of the Planning and Zoning Commission. Although the property has not been transferred from the current owner and application has been made by Schreiber, the Commission can go ahead and make a recommendation to the City Council. Also, we have been advised by the Real Estate Advisors that they anticipate closing on the property to be by March 1, 2020.

Project Vacca offers an opportunity for the Carthage area to add 23 jobs in 2020-2021 with the average salary expected to be \$22.76/hr. Total capital investment is \$52,380,815.

Mark J. Elliff
Economic Development Director

Mayor & Council;

Here are the Economic Development reports for the months of September and October as presented by the Economic Development Director. Additionally supplied is a copy of an email from the Chamber of Commerce Chairman as a result of a meeting with the City and CWEP about concerns about reporting requirements in the Agreement.

If the Council feels this meets the requirements of the Contract and would like to continue to receive these reports in this format, please advise, and we will simply forward these in their original format.

If the Council would like a condensed/highlighted version with limited commentary, please advise.

You can let me know via email, phone or in person.

Thanks

Tom

Gentlemen, [10/31/19]

My schedule finally allowed me to spend some time with Mark this week to discuss improvement to our reporting to fulfill the contract for economic development with the Chamber.

One of the recent issues has been who the report was being sent to. After visiting with everyone, including Neel Baucom as the Chairman of CWEP board, the future reports should go to Tom and Chuck to be dispersed to their respective groups. One reason this has been an issue is a trust factor that has been a challenge apparently developing over the years. Hopefully, we are moving past that and everyone must trust that the reports are being given to the people who need to know and those who question the value of our contract.

Beginning with this month we will be reporting on the items listed in the outline give to us by the City and CW&EP, but in a letter type document keeping you abreast of how and what we are working on with Economic Development. This way no one has to read thru all of the previously reported items or ditto marks on items like advertising an industrial park.

The other elephant in the room we have addressed is no longer dwelling on the past. It is my understanding that instead of asking the council, boards, etc. of what they are looking for our contract tasks us with developing economic plans for all areas addressed by the contract. Mark and I both fully embrace this direction and look forward to the task. We have challenged ourselves to start the process of getting a plan on paper (a fluid, evolving type plan) to move forward as a guide to create Economic Development growth in addition to reporting reactions to current projects. Focus will be directed at Myers Park, empty buildings and of course possibilities with an industrial park along with other things that arise from this planning. Any input or ideas are always welcome.

Please give this new format a couple of months to work thru and see if we can make it acceptable. As we have all discussed Economic Development takes time. We want to report information in an acceptable format that does not make issues worse and does not consume large amounts of time for all of the parties involved.

Here's to a better Carthage.

Sincerely,

Roy Mason, VP / Manager

AGREEMENT FOR ECONOMIC DEVELOPMENT SERVICES

City of Carthage, Missouri and the Carthage Chamber of Commerce

This Agreement, made and entered into on this 1st day of July 2019, by and between the City of Carthage, Missouri, a municipal corporation, with offices located at 326 Grant St. Carthage, Missouri, hereinafter referred to as the "City" and the Carthage Chamber of Commerce, Incorporated, a not-for-profit corporation organized under the laws of the State of Missouri, located at 402 South Garrison Ave., Carthage, Missouri, hereinafter referred to as the "Chamber."

Whereas, the City and CWEP have desired and identified the ongoing need to coordinate, communicate and engage the community and stakeholders in Carthage's economic development vision, strategies and goals; and

Whereas, there have been identified specific goals and objectives ensuring Carthage's development policies and procedures are coordinated, market-driven, and continue to focus on retention and creation of business and industry while maintaining an environment that supports entrepreneurs and industry; and

Whereas, the Economic Development Program, (specified in Exhibit A, and incorporated as if fully set out in herein) will bring efficiencies for use of resources, implementation of strategies, consistent focus and identification of community specific needs to allow for desired growth consistent with Carthage's strategic vision; and

Whereas, the City and the Chamber desire to pursue programs that will result in economic development and job creation in the City of Carthage and its environs; and

Whereas, the Chamber has established staffing capabilities to meet and implement the Vision, Mission, Goal and Objectives outlined in Exhibit A and attract and recruit new business and industry to Carthage and to promote and support the growth and expansion of existing primary business and industry within and adjacent to this community by specifically, but not limited to, the hiring of an Executive Director to serve as the community's Economic Development Director, to accomplish the functions that will lead to the creation, retention and reinvestment of resources; and

Whereas, the City has agreed to use the services of the Chamber to accomplish the aforesaid precepts

NOW, THEREFORE, in consideration of these premises and the mutual covenants herein contained, the parties agree as follows:

Article I

Purpose

The Chamber agrees to operate an economic development program as generally specified in Exhibit A included herein on behalf of the citizenry of this community for the purpose of marketing and advertising the Carthage area as a location for new business and industry, and as an area committed to the assistance and expansion of existing business and industry. The Chamber will concentrate primarily on providing economic development services within the City of Carthage service area and secondarily within the region.

Article II

Administration

The Chamber, operating under the provisions of its Bylaws, agrees to provide a qualified and competent staff, including a full-time professional Director. Operating under the policy direction and authorities of the Chamber's Board of Directors, this staff shall promote the attraction of primary business, industry and employment sources to the Carthage area and provide program management and administrative services necessary to sustain a viable recruitment and maintenance program for economic opportunities. This program shall include, but not to be limited

to the gathering and dissemination of information and ideas, research, publications, promotional programs, advertising, target marketing, prospect development and client services and assistance.

Article III

Annual Work Plan and Budget

The Chamber agrees to provide to the City an Annual Work Plan which will incorporate the Vision, Mission, Goal and Objectives outlined in Exhibit A as a blueprint through which the Chamber proposes to realize the purpose of this Agreement, together with a budget suitable to the operation of said Annual Work Plan. These and other related documents shall be submitted in keeping with the City's annual budgetary cycle for action by the City Council of the City of Carthage in a form compatible with that used by the City. The Chamber agrees that annually, any surplus funds provided by the City for economic development services but not used for economic development services will be returned to the City. The parties agree that during the City's budgetary process for fiscal year 2020, the agreed upon amount of compensation as specified in Article VIII herein may be adjusted for Cost of Living and/or Consumer Price Index changes which occurred during the previous three years and the Agreement amended accordingly at that time.

Article IV

Right of Review

The Chamber understands and agrees that operations of the City's economic development programs are to serve the Carthage area and the general public through promotion of economic development, job creation, capital investment, and business expansion and, based on the nature of this operation, that the acts and deeds of the Chamber's agents and employees tend to be viewed as the acts and deeds of the community. As a result, the Chamber agrees to provide to the City regular reports regarding the operation of its economic development program during the term of this Agreement. These reports will include, but not be limited to, information concerning the Chamber's overall economic development strategies, staff assignments, prospect visits, program activities and results. Written monthly reports regarding economic development service activities will be presented to the City Council at the first Council meeting of each month. Additionally, the Chamber agrees to provide an oral quarterly report on its economic development activities including the budget and use of funds. It is further understood that information on prospects and active economic development clients will be exchanged with the City Council in such a way as to protect and preserve any professional confidentiality between these clients and persons representing the Chamber.

Article V

Joint Ventures

The City will have at least one designated staff or Council representative appointed liaison by the Mayor on the Chamber Board. **In the event of a vacancy in the Chamber Executive Director's position, through resignation or forced termination, the Chamber Board of Directors will form a Search Committee comprised of, at least, members of the Chamber Board of Directors, at least, one representative of CWEP, and at least, one Council representative appointed by the Mayor.** The Chamber will work closely with the City and CWEP in finalizing any deals with economic development prospects that are within the City's service area including, but not limited to, the development of any incentive packages. The City's participation in any regional advertising, marketing and/or development efforts, e.g., the Joplin Regional Partnership Initiative, will be conducted through the Chamber.

Article VI

Changes in Scope of Agreement

If during the term of this Agreement, the Chamber Executive Director terminates employment with the Chamber, the City, at its sole discretion, shall have the option of reducing the monthly disbursement to the Chamber by the amounts specified in that given year's budget submittal to the City for the Director's salary and benefits.

Article VII

Term of Agreement

This Agreement shall commence on the date first written above. This is a General Agreement, anticipating a long-term multi-year relationship between the City and the Chamber, subject to annual renewals thereof. Pursuant to this General Agreement, an Annual Work Program and Budget are to be submitted by the Chamber for consideration by the City Council, as provided in Article III of this Agreement. Upon approval of the City, each adopted Annual Work Program and Budget will be attached to this General Agreement and become the substantive basis for the continuation of the General Agreement on a fiscal year basis. Each Annual Work Program and Budget is to be the basis for any funding which the City may choose to provide to the Chamber. This Agreement is to continue in full force and effect upon reconfirmation by both parties on or before July 1 of each year. If either party determines that it will not reconfirm this Agreement, it shall notify the other party at least sixty (60) days prior to the expiration of the Agreement. Funding shall be extended to include the notification period, when this period extends beyond July 1. The term of this agreement is intended to extend from the date it is first executed through June 30, 2020.

Article VIII

Compensation

The Chamber agrees to perform its obligations hereunder for a sum of one hundred-eighteen thousand, seventy-five dollars and no cents (\$118,075.00) annually, as budgeted and adopted by the City, payable in twelve (12) equal monthly installments of nine thousand, eight hundred thirty-nine dollars and fifty-eight cents (\$9,839.58) payable by the City at the first City Council meeting of each month commencing with the signing of this Agreement. The Chamber shall submit a monthly invoice with detailed supporting documentation as stipulated in this Agreement, describing the services provided incurred by the Chamber. Compensation shall be subject to and conditioned on the Chamber meeting the requirements specified in Exhibit A. Quarterly financial updates will be provided and funds tracked separately to the City to keep the City informed of the status of the use of funds.

Article IX

Non-Transferable

The Chamber agrees not to assign or otherwise transfer this Agreement or rights contained herein without prior written approval of the City.

Article X

Liability

The Chamber agrees that all persons working for the Chamber under this Agreement shall be employees of the Chamber and in no way shall be considered as employees of the City, notwithstanding common inter-organizational interests. In this connection, should any liability arise under the Worker's Compensation provision of the State of Missouri due to injury of an employee of the Chamber, the same shall be the sole responsibility of the Chamber. It is understood that the Chamber shall indemnify and hold harmless the City from any and all claims, suits, demands and actions related to the operation of the Chamber's economic development program. Notwithstanding the provisions of Missouri Law and the protection which said law provides to persons that serve as members of policy bodies responsible for the governance of not-for-profit organizations, the Chamber, as deemed appropriate by its Board of Directors, is authorized to insure itself, its Officers, Directors and Staff, against liability claims.

Article XI

Equipment and Files

The Chamber agrees to maintain such files and other information relative to its economic development efforts as appropriate for smooth and effective program administration from year to year, to include access to such computers, audio-visual and other equipment systems as may be necessary to the implementation of its approved programs. The files of the Chamber shall be subject to the provisions of the state law on open records, except as this law relates to records of Chamber activities with individual and specific business firms having a client-type relationship with the Chamber.

Article XII

Non-Discrimination

In connection with the performance of services under this Agreement, the Chamber agrees not to discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex or ancestry. It shall be the Policy of the Chamber to take affirmative action to insure that its employees are provided equal opportunity in employment, promotion, demotion, transfer, or termination, rates of pay or other forms of compensation and selection for training.

Article XIII

Waiver

The waiver by the City of any breach of any term, condition or covenant herein contained shall not be deemed a waiver of any subsequent breach of the same, or any other term, condition, or covenant.

IN WITNESS WHEREOF, the parties hereto affix their hands and seals the day and year first above written.

CITY OF CARTHAGE, MISSOURI

A Municipal Corporation

By:

Dan Rife,

Mayor, City of Carthage

ATTEST:

Traci Cox, City Clerk

CARTHAGE CHAMBER OF COMMERCE

A Not-for-profit Corporation

By:

Roy Mason, Chairman

Carthage Chamber of Commerce

ATTEST:

Secretary

Exhibit A

Carthage Missouri Economic Development Program

Vision, Mission, Goal and Objectives

December 2017

A coordinated effort of the City of Carthage (City), Missouri; Carthage Water and Electric Plant (CWEP)

Vision Statement: The Carthage Economic Development Program (CEDP) will be a proactive state and regionally recognized program, respected as an initiator of a healthy and vibrant city with a strong economic base, robust jobs, improved retail areas and a growing industrial base for the citizens of Carthage.

Mission Statement: To create, foster and promote an environment conducive to attracting, expanding and retaining business and industry; promoting economic vitality and diversifying the city's tax base; increasing CWEP load and improving the overall quality of life for the citizens of Carthage.

Goal: To preserve and enhance an economically vital, competitive, sustainable community by providing aggressive coordinated leadership and superior services to the industrial, business, and commercial sectors of the Carthage economy by promoting the city's location for business and industry and supporting employment opportunities.

Key Objectives:

- Development of an Industrial Park to market Carthage and encourage business and industrial retention and recruitment
- Development of a business retention plan to ensure continued business and industrial growth
- Creation of a marketing plan to market and advertise the Carthage area as a location for new business and industry and promotion of Carthage's commitment to the assistance and expansion of business and industry
- Continued support and encouragement of vocational-technical training available in the Carthage area to meet the needs of industry and provide local employment
- Active recruitment of retail and entertainment establishments, grocery stores, and restaurants in Carthage to support the workforce and benefit area citizens
- Development and implementation of a marketing plan for Myers Park to attract various retail and service companies to Carthage
- Development and coordination of a plan to revitalize aging commercial areas, including the revitalization of the Downtown District
- Development and coordination of a plan to enhance the existing commercial corridors and encourage the assemblage of tracts adequate for planned mixed-use redevelopment throughout the City
- Maintenance of the CEDP in coordination with other economic development agencies within the city, state, region, and county, including regular contact and participation with the Joplin Regional Partnership

Primary Duties:

- In partnership with the City and CWEP, provide an annual work plan as a blueprint through which to achieve the vision, mission, and objectives of the CEDP
- Make written monthly reports to the City Administrator and the Carthage Water and Electric Plant General Manager
- Function as coordinator for the City's enterprise zone being the primary liaison between the appropriate parties and the City

- Serve as the contact for the City on economic development prospects, while coordinating with CWEP all communications with Industrial, Manufacturing and Large Consumer prospects
- Timely create all necessary reports and provide all requested information desired by business and industrial prospects
- Develop a prospect list and marketing materials for business recruitment in industrial, manufacturing, service, and retail sectors
- Attend and participate in appropriate trade shows
- Develop business attraction, retention, and expansion strategies, including cluster and target industry analysis
- Facilitate access to and recommend economic incentives for quality job creation and/or tax base enhancement for business and industry
- Work with all industrial prospects in coordination with the City and CWEP
- Regularly communicate and work with the City and CWEP on all aspects of economic development
- Provide support to CWEP economic development efforts to attract and retain significant load generating facilities.

Carthage Economic Development Program

Monthly Report thru September 2019

Updated information in blue

**The operations of the City's economic development programs are to serve the Carthage area and the general public through promotion of economic development, job creation, capital investment, and business expansion. This report will include, but not be limited to, information concerning the program's overall economic development strategies, staff assignments, prospect visits, program activities and results. Written monthly reports regarding economic development service activities will be presented to the City Council at the first Council meeting of each month. Information on prospects and active economic development clients will be exchanged with the City Council in such a way as to protect and preserve any professional confidentiality between these clients and persons representing the Chamber.*

Development of an Industrial Park:

- The idea for the development of an industrial park began over three years ago when we had an industry interested in a large expansion here in Carthage. The idea started out as a partnership between the City, CWEP, Landowner and Chamber, each with their own expertise in accomplishing a potential development, based on much less cost than having to purchase land and develop. During this time period, the Chamber and City encouraged all parties to agree to a Memorandum of Understanding so the general thoughts could be in writing on what was to be expected working towards the goal of an industrial park. That never occurred and the industry decided to complete another industrial location that they had in Texas. Since then, other locations have been considered as well as a large tract of land south of Carthage. Recently, the landowners have considered re-visiting the "Partnership" aspect but the industry that we originally were working with is looking at other locations, in Carthage that will fit into their timeline. We continue to work with this industry to bring it here to Carthage. Large investment and new jobs will be added. The idea of an industrial park will continue to be reviewed and potential properties looked at. The biggest obstacles to overcome are: Funds and repayment to purchase land to develop into an industrial park; very low unemployment in Carthage and the surrounding areas (we do not want to rob from our existing employers workforce to have workers for a new, non-related industry because we have not accomplished any net improvement).
- As we continue to look at land opportunities for an industrial park, we will also look for potential developers that will purchase land and develop into an industrial park complex.

Development of a business retention plan:

- For the past eight years, we have had a "Business Retention Plan," before business retention was the current hot topic in economic development. It has not been put into writing but that will be worked on in the coming months. Simplified, it is talking with your current businesses and industry, helping them with what they need on a local level to continue to do business in Carthage.

Creation of a marketing plan for Carthage:

- A marketing plan for Carthage can be composed of many parts. As this is developed, input from the City Council (as these are the individuals elected from the community to represent the people of Carthage) is essential to define what we want to market. New

business, industry, retail, housing, the list continues. An in-depth discussion should be held so we can make sure we are marketing the current and future needs of our community. I look forward in working with the Council as we proceed on this topic.

Recruitment of retail business to Carthage:

- A few years ago, the City contracted with a professional major national retail placement company, Retail Strategies Inc, and we learned that Carthage doesn't have the necessary numbers to convince national retail companies to open locations here. Additionally, with Joplin as a major retail hub in the four-state area estimating a daytime population of 240,000, this has a significant impact on the surrounding communities when it relates to attracting new national retail business. The focus we have been working on is attracting and working with "niche retail," such as Liberty Tree, Cave Gang Pizza and Cherry's, just to name a few. These types of businesses fill a need in our community as well as the surrounding area. At the September Public Safety meeting there was discussion regarding the parking situation on the Square and I was asked to attend. After the meeting, I contacted one of the merchants that had concerns and asked to set up a meeting with them and a few other merchants. We have had one meeting with some general ideas on what can be done as since the comments from three of the merchants involved stated that sales have been declining since the no marking of tires (two-hour parking) has gone into effect. There are options available now, however this group is trying to seek a long term, customer friendly solution. We will continue to meet and come up with potential ideas to forward on to the City.

Marketing plan for Myers Park:

- In the budget request for 2019-2020, funds up to \$20,000 were requested for a Strategic Land Use Study for Myers Park to determine what is the best use of this land presently. That request was denied. Understanding that Sales Tax is extremely important to our community, we must also understand what is feasible and practical to our community. A Mixed-Use Development seems to be the best option for that area in our opinion. As online purchasing becomes more of the norm and many of the stable retail brick and mortar stores look at closing, it does not appear that having this much land to develop in Carthage for just retail is the best use. There is close to 60 acres available for retail development in Myers Park between the City, Lim's and Eli Bruton plus another 26 acres in the Peachtree subdivision. Close to 85 acres for retail development. Again, input from the City Council is essential to define what we want to market.

Revitalizing commercial areas, including the Downtown District:

- This project has not been started as of this date but will be started soon.

Enhancements to commercial corridors:

- This project has not been started as of this date but will be started soon.

Assemblage of tracts adequate for planned mixed-use redevelopment throughout the City:

- This project has not been started as of this date but will be started soon.

Maintenance of the CED Plan:

- During the past couple of months, 80% of my time has been spent on working with the company that represents an industry wishing to expand in Carthage as well as the 2019 Maple Leaf Festival. The assigned name is now known as "Project VACCA".

Enhanced Enterprise zone:

- Currently Carthage has an Enhanced Enterprise Zone that was established in 2004 and 2006. The State is accepting new applications and if an industrial park becomes a reality

and it isn't in the EEZ, we will propose to add another EEZ to offer incentives for industries.

Coordination with City & CWEP:

- As a beginning, these reports are being sent to the CWEP Board members, Chamber of Commerce Board members and the Council Members (via the City Administrator), so everyone has current information. This should help in answering questions or creating questions to be asked. This is a work in progress.

Prospect list and marketing materials for recruitment:

- As previously stated, input from the City Council (as these are the individuals elected from the community to represent the people of Carthage) is essential to define what we want to market. If it is for industry, we need to have an industrial park in place before we market for new industry. When you say you are open for business, you need to have the land, shovel ready, workforce, housing, etc. Land is the priority for marketing industry. Other marketing opportunities, such as a great place to live can occur now. This will be a project to work on soon.

Trade shows:

- As previously stated, we need to have an industrial park in place before we market for new industry. Attending Trade Shows to market something you don't have is counterproductive and not wise. This will occur as soon as an industrial park is determined. Regarding retail, as previously stated, concentration should be on niche retail. Any shows that deal specifically with that makes sense to attend. This will be an ongoing project.

General updates:

- Worked a major part of the month on Project VACCA. Met with the Mayor and City Administrator discussing the in-place incentives that the City has offered to industries in the past, subject to Council approval. Held a conference call with representatives of Project VACCA and the Project Manager with the Missouri Department of Economic Development on what State incentives can be offered. There has now been a Contractor/Developer hired for this project. On September 30, 2019 a conference call was held with the Public Works Director, City Engineer, Carthage Economic Development Director and members of the Project VACCA team. The purpose of the call was to bring the newly hired Contractor/Developer up to speed on the preferred tract of property (Site C.) During the meeting there were two major concerns that the Contractor/Developer brought up:

1. Wetlands in the tract of property
2. Access to the property should be obtained from Hazel Avenue

The potential Broadway road expansion would not fit into their timeline as they plan on being operational sooner than construction of Broadway would allow as it would not begin until the fourth quarter of 2021. It was also told to us from the company that this is the primary property being considered, however if their timeline cannot be met, they will

have to look at other locations in adjacent communities (which preliminary investigation of certain properties has already been done.)

Consideration of Hazel, changing it to a Truck Route going south to Fir Road and then access to the interstate would allow immediate accessibility to the site.

Also, by modifying the Cost Share Application with MODOT and requesting Hazel instead of Broadway, there are less time issues involved with beginning construction, if it is approved. At this time, no commitments have been made to the Contractor/Developer as we are still in the due diligence phases of this project. All of this is subject to City Council approval.

Project Vacca offers an opportunity for the Carthage area to add 23 jobs in 2020 with the average salary expected to be over \$22 an hour. Total capital investment is greater than \$50 million.

- Meeting with the Carthage Technical School Director and Assistant Director regarding training opportunities for local industries. Discussion also included Manufacturing Day tours on October 4, 2019.
- Conference call with financial representative concerning Project VACCA and potential incentives that are available through the Enhanced Enterprise Zone. Follow up call with a representative from the Missouri Department of Economic Development on potential State incentives that are available.
- Meeting with Sherri Rheums, Southwest Missouri Region Executive Director for the Workforce Investment Board regarding training programs available for local individuals. The WIB also works with several of our local industries in providing jobs for them.
- Discussion with a local industry on incentives available for expansion of their product line and additional jobs. Set up a second call with representative from the Missouri Department of Economic Development on potential State incentives.
- Meeting with a local industry executive as part of the ongoing business retention and expansion plan.
- Toured a local industry with the Carthage Emerging Leaders group. Introducing up and coming members of management of our local businesses and industries here in Carthage.

Exhibit A

Carthage Missouri Economic Development Program

Vision, Mission, Goal and Objectives

December 2017

A coordinated effort of the City of Carthage (City), Missouri; Carthage Water and Electric Plant (CWEP)

Vision Statement: The Carthage Economic Development Program (CEDP) will be a proactive state and regionally recognized program, respected as an initiator of a healthy and vibrant city with a strong economic base, robust jobs, improved retail areas and a growing industrial base for the citizens of Carthage.

Mission Statement: To create, foster and promote an environment conducive to attracting, expanding and retaining business and industry; promoting economic vitality and diversifying the city's tax base; increasing CWEP load and improving the overall quality of life for the citizens of Carthage.

Goal: To preserve and enhance an economically vital, competitive, sustainable community by providing aggressive coordinated leadership and superior services to the industrial, business, and commercial sectors of the Carthage economy by promoting the city's location for business and industry and supporting employment opportunities.

Key Objectives:

- Development of an Industrial Park to market Carthage and encourage business and industrial retention and recruitment
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- Continued support and encouragement of vocational-technical training available in the Carthage area to meet the needs of industry and provide local employment
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- Development and coordination of a plan to enhance the existing commercial corridors and encourage the assemblage of tracts adequate for planned mixed-use redevelopment throughout the City
- Maintenance of the CEDP in coordination with other economic development agencies within the city, state, region, and county, including regular contact and participation with the Joplin Regional Partnership

Primary Duties:

- In partnership with the City and CWEP, provide an annual work plan as a blueprint through which to achieve the vision, mission, and objectives of the CEDP
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- Function as coordinator for the City's enterprise zone being the primary liaison between the appropriate parties and the City
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- Attend and participate in appropriate trade shows
- Develop business attraction, retention, and expansion strategies, including cluster and target industry analysis
- Facilitate access to and recommend economic incentives for quality job creation and/or tax base enhancement for business and industry
- Work with all industrial prospects in coordination with the City and CWEP
- Regularly communicate and work with the City and CWEP on all aspects of economic development
- Provide support to CWEP economic development efforts to attract and retain significant load generating facilities.

Carthage Economic Development

Activity Report

October 2019

**The operations of the City's economic development programs are to serve the Carthage area and the general public through promotion of economic development, job creation, capital investment, and business expansion. This report will include, but not be limited to, information concerning the program's overall economic development strategies, staff assignments, prospect visits, program activities and results. Written monthly reports regarding economic development service activities will be presented to the City Council at the first Council meeting of each month. Information on prospects and active economic development clients will be exchanged with the City Council in such a way as to protect and preserve any professional confidentiality between these clients and persons representing the Chamber.*

Development of an Industrial Park:

- During the months of November or December, the CEDC will re-convene to continue discussion of a possible industrial park.

Development of a business retention plan:

- A first draft has been started on a formal business retention and expansion plan. It is anticipated that a final draft will be completed and approved by the Chamber Board around the first of the year.

General updates:

- On December 1st, a meeting was held with the City Administrator, Public Works Director, City Engineer and the Economic Development Director regarding road access pertaining to Project VACCA. The discussion centered around truck traffic access to the property and possible routes to be used. It was determined that the best route for the traffic would be to have the entrance/exit off Hazel, going South to Fir. The original idea of expanding, widening and paving Broadway into the property has been dropped due to time frame and restricted access only to that location.
- Meeting with the Carthage Technical Center Director and Assistant Director regarding potential opportunities to work with area businesses and industries on training. This continues to be a very important piece of the workforce issue in our local community.
- Had a discussion with a local business owner. She has been in negotiations on purchasing a portion of property owned by another business owner in Myers Park. Our conversation was regarding the restrictions that had been put in place by Lowe's. I advised her to talk with her attorney and financier as well regarding the concerns she had to obtain a legal opinion prior to her investment.
- Also had a discussion with the business owner's banker and advised him to seek legal counsel regarding specific issues.
- The Carthage Chamber, in conjunction with the Technical School is now recognizing their Young Professional of the Month by presenting them a gift card from one of our local merchants. October 15th CTC Assistant Director Tiller and I presented the first award to Rocio Chuta. This is just another way that we can help tie our younger adults to Carthage and strive to keep them in our community.
- Attended the first Department of Elementary and Secondary Education consortium on the Skills Gap between students graduating from school and the workforce requirements. Studies have shown that there are approximately 5.5 million youth that are disconnected

from work and school. In Missouri alone it is about 80,000. This program that is being conducted by DESE in cooperation with the MOED is working towards having students career ready when they graduate High School. Although in its early stages, this appears to have high hopes to help with our workforce shortage in the future.

- Attended the annual Jasper County Industrial Development Authority meeting. This organization can be used to issue bonds for many industrial projects in the county, including Carthage. Previously Vice President of the Board, I was elected to the Board as well at the Annual Meeting.
- Attended a planning meeting with the Public Works Department, CWEP and architects regarding a new project that Bart Paden is doing in the Peach Tree Subdivision. He has purchased land in that area and will be constructing a new building which will house the CrossFit Traverse. That business is being relocated from downtown Carthage to a newer, bigger building. It is anticipated that he will double his membership by making this investment.
- Conversations with the Trustee who owns acreage off Fir Road that was once looked at for an access road. They were brought up to date on where that project is now. They have advised that this property is for sale.
- Discussion with a local realtor regarding the above property and asked them to open discussions with a developer.

**Carthage Public Library
Balance Sheet - Cash basis
October 31, 2019**

Assets

Current Assets

Cash in bank - treasurer's cash	\$ 142,502.05
Cash in bank - Simmons Bank	12,430.69
Cash in bank - Community National Bank	185,433.34
Cash on hand - circulation desk	100.00
Cash on hand - Internet desk	40.00
Petty cash	120.00
MOSIP Investment	<u>663,882.72</u>
Total Current Assets	<u><u>1,004,508.80</u></u>

Total Assets

\$ 1,004,508.80

Liabilities and Net Assets

Net Assets

Unrestricted Net Assets	\$ 579,161.12
Temporarily Restricted Net Assets:	
Boylan Grant	6,252.67
CPL Development Foundation	13,048.92
Debbie Putnam - Ebooks	30,139.74
Debbie Putnam - Children's section	2,000.00
Library Gardens	13,403.70
Spotlight on Literacy (RTR) Grant - MOSL 2020	4,397.25
Spotlight on Literacy (RTR) Grant - Local 2020	7,735.57
Spotlight on Literacy - MOSL -2020	2,189.25
Spotlight on Literacy Grant - Local - 2020	13,778.65
Steadley Trust	2,546.16
Summer reading program - Local - 2019	75.18
Summer reading program - MOSL grant - 2019	(2,489.79)
Thelma Stanley Foundation Grant	7,012.96
Operational reserves	195,998.47
Change in net assets	<u>129,258.95</u>
Total Net Assets	<u><u>1,004,508.80</u></u>

Total Liabilities and Net Assets

\$ 1,004,508.80

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and four months ended October 31, 2019

	2019 Month Actual	Monthly Budget	Monthly Variance	2019 Year to date	Annual Budget	Annual Variance
Revenue						
Book sale income	\$ 177.40	\$ 250.00	\$ (72.60)	\$ 705.15	\$ 3,000.00	\$ (2,294.85)
Copier income	543.00	583.34	(40.34)	2,385.60	7,000.00	(4,614.40)
Donations	15.45	0.00	15.45	3,469.49	0.00	3,469.49
Donations-restricted	185,333.34	1,125.00	184,208.34	216,882.34	13,500.00	203,382.34
Fax income	93.80	83.34	10.46	342.60	1,000.00	(657.40)
Fine income	544.52	583.34	(38.82)	2,636.45	7,000.00	(4,363.55)
Interest income	1,381.26	833.34	547.92	33,078.47	10,000.00	23,078.47
Non-resident fee income	590.00	666.67	(76.67)	2,630.00	8,000.00	(5,370.00)
Payment for lost books	30.00	0.00	30.00	167.06	0.00	167.06
Postage income	0.00	166.67	(166.67)	2.50	2,000.00	(1,997.50)
State aid	4,803.11	1,000.00	3,803.11	4,803.11	12,000.00	(7,196.89)
Sur tax	0.00	1,500.00	(1,500.00)	0.00	18,000.00	(18,000.00)
Tax income	206.08	16,916.67	(16,710.59)	3,673.78	203,000.00	(199,326.22)
Tax income - Park and storm water	36,703.44	38,966.67	(2,263.23)	159,388.71	467,600.00	(308,211.29)
Miscellaneous income	1,206.00	166.67	1,039.33	1,660.99	2,000.00	(339.01)
Other income	44.17	166.67	(122.50)	356.19	2,000.00	(1,643.81)
Total revenue	<u>231,671.57</u>	<u>63,008.38</u>	<u>168,663.19</u>	<u>432,182.44</u>	<u>756,100.00</u>	<u>(323,917.56)</u>

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and four months ended October 31, 2019

	2019 Month Actual	Monthly Budget	Monthly Variance	2019 Year to date	Annual Budget	Annual Variance
Operating Expenses						
Salaries	38,878.06	40,509.66	1,631.60	167,075.33	486,116.00	319,040.67
Lagers	2,036.93	1,959.91	(77.02)	8,716.39	23,519.00	14,802.61
Insurance - health	1,065.22	1,250.00	184.78	5,007.36	15,000.00	9,992.64
Payroll taxes - FICA	2,974.70	3,042.91	68.21	12,783.24	36,515.00	23,731.76
Total payroll expenses	44,954.91	46,762.48	1,807.57	193,582.32	561,150.00	367,567.68
Employee goodwill	218.92	250.00	31.08	1,535.84	3,000.00	1,464.16
Advertising	0.00	83.33	83.33	0.00	1,000.00	1,000.00
Audio-visuals	0.00	166.66	166.66	330.25	2,000.00	1,669.75
Books	2,102.33	2,500.00	397.67	11,903.10	30,000.00	18,096.90
Books - children's	1,487.59	1,250.00	(237.59)	9,796.43	15,000.00	5,203.57
Contract fees	5,262.31	3,083.33	(2,178.98)	20,633.86	37,000.00	16,366.14
Dues and travel	968.53	833.33	(135.20)	2,825.49	10,000.00	7,174.51
Ebooks	0.00	291.66	291.66	3,500.00	3,500.00	0.00
Furniture and equipment	0.00	583.33	583.33	0.00	7,000.00	7,000.00
Information technology (IT)	0.00	583.33	583.33	559.98	7,000.00	6,440.02
Insurance	0.00	2,083.33	2,083.33	2,746.00	25,000.00	22,254.00
Legal and professional	5,425.00	500.00	(4,925.00)	5,425.00	6,000.00	575.00
Periodicals	103.29	500.00	396.71	3,462.92	6,000.00	2,537.08
Postage	117.99	125.00	7.01	382.66	1,500.00	1,117.34
Programs - adult	374.36	500.00	125.64	1,447.67	6,000.00	4,552.33
Programs - children	175.25	1,083.33	908.08	1,470.34	13,000.00	11,529.66
Programs, teens	0.00	83.33	83.33	325.79	1,000.00	674.21
Repairs and maintenance	16,937.55	2,916.66	(14,020.89)	26,174.47	35,000.00	8,825.53
Supplies	672.74	2,083.33	1,410.59	5,115.88	25,000.00	19,884.12
Telephone	253.55	500.00	246.45	1,552.62	6,000.00	4,447.38
Utilities	2,665.72	2,916.66	250.94	10,152.87	35,000.00	24,847.13
	36,765.13	22,916.61	(13,848.52)	109,341.17	275,000.00	165,658.83
Total expenses and losses	81,720.04	69,679.09	(12,040.95)	302,923.49	836,150.00	533,226.51

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and four months ended October 31, 2019

	2019	Monthly	Monthly	2019	Annual	Annual
	Month Actual	Budget	Variance	Year to date	Budget	Variance
Increase/(Decrease) in unrestricted net assets before transfers	149,951.53	(6,670.71)	156,622.24	129,258.95	(80,050.00)	209,308.95
Transfers from temporary restricted	6,271.69	6,670.84	(399.15)	21,491.58	80,050.00	(58,558.42)
Transfers to temporary restricted	0.00	0.00	0.00	(31,549.00)	0.00	(31,549.00)
Increase/(Decrease) in unrestricted net assets	<u>156,223.22</u>	<u>0.13</u>	<u>156,223.09</u>	<u>119,201.53</u>	<u>0.00</u>	<u>119,201.53</u>

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and four months ended October 31, 2019

	2019 Month Actual	Monthly Budget	Monthly Variance	2019 Year to date	Annual Budget	Annual Variance
Changes in temporarily restricted net assets						
Debbie Putnam - Children's section	0.00			(2,000.00)		
Spotlight on Literacy (RTR) Grant - MOSL 2020	0.00			4,258.00		
Spotlight on Literacy Grant - MOSL - 2020	0.00			6,776.00		
Summer reading program - Local - 2019	0.00			515.00		
Mult Purpose Building	0.00			22,000.00		
Debbie Putnam - Ebooks	0.00			(3,500.00)		
Library Gardens	(3,689.59)			(3,875.42)		
Spotlight on Literacy (RTR) Grant - MOSL 2020	(630.00)			(2,091.38)		
Spotlight on Literacy (RTR) Grant - Local 2020	0.00			(353.71)		
Spotlight on Literacy Grant - MOSL 2020	(956.25)			(3,800.00)		
Spotlight on Literacy Grant - Local - 2020	(983.63)			(3,996.82)		
Summer reading program - Local - 2019	(515.00)			(590.18)		
Summer reading program - MOSL - 2019	502.78			(3,284.07)		
Increase/(Decrease) in temporarily restricted net assets	<u>(6,271.69)</u>			<u>10,057.42</u>		
Change in net assets	<u><u>\$ 149,951.53</u></u>			<u><u>\$ 129,258.95</u></u>		

See accountant's compilation report.

Carthage Public Library
Gift Account Activity
For the one month and four months ended October 31, 2019

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending balance</u>
Boylan Grant	\$ 6,252.67	\$ 0.00	\$ 0.00	\$ 6,252.67
CPL Development Foundation	13,048.92	0.00	0.00	13,048.92
Debbie Putnam - Ebooks	30,139.74	0.00	(3,500.00)	26,639.74
Debbie Putnam - Children's section	2,000.00	(2,000.00)	0.00	0.00
Library Gardens	13,403.70	0.00	(3,875.42)	9,528.28
Spotlight on Literacy (RTR) Grant - MOSL 2020	4,397.25	4,258.00	(2,091.38)	6,563.87
Spotlight on Literacy (RTR) Grant - Local 2020	7,735.57	0.00	(353.71)	7,381.86
Spotlight on Literacy - MOSL -2020	2,189.25	6,776.00	(3,800.00)	5,165.25
Spotlight on Literacy Grant - Local - 2020	13,778.65	0.00	(3,996.82)	9,781.83
Steadley Trust	2,546.16	0.00	0.00	2,546.16
Summer reading program - Local - 2019	75.18	515.00	(590.18)	0.00
Summer reading program - MOSL grant - 2019	(2,489.79)	0.00	(3,284.07)	(5,773.86)
Thelma Stanley Foundation Grant	7,012.96	0.00	0.00	7,012.96
Multi Purpose Building	0.00	22,000.00	0.00	22,000.00
Operational reserves	195,998.47	0.00	0.00	195,998.47
Totals	<u>\$ 296,088.73</u>	<u>\$ 31,549.00</u>	<u>\$ (21,491.58)</u>	<u>\$ 306,146.15</u>

See accountant's compilation report.

Carthage Public Library

Check register

October 1, 2019 - October 31, 2019

Date	Reference	Description	Amount
Cash in bank - Simmons Bank			
10/07/19	TASCINSURAN CE	TASC DIRECT PAY October 2019	300.00
10/08/19	32894	Baker & Taylor	281.23
10/08/19	32895	Baucom Masonry Construction Inc.	11,989.90
10/08/19	32896	Bloom Boutique	68.00
10/08/19	32897	Carrier Corporation	1,088.50
10/08/19	32898	Carthage Water & Electric	2,614.43
10/08/19	32899	Checkett & Pauly	1,425.00
10/08/19	32900	De Anda Lupita	28.35
10/08/19	32901	DEMCO	66.39
10/08/19	32902	Gale/Cengage Learning Inc.	38.92
10/08/19	32903	Houchen Bindery	139.30
10/08/19	32904	KPM CPA	4,000.00
10/08/19	32905	Lakeland Office Systems, Inc.	124.45
10/08/19	32906	Lowes Business Acct/GEGRB	56.42
10/08/19	32908	Race Brothers	35.98
10/08/19	32909	Recorded Books	297.73
10/08/19	32910	Sam's Club MC/SYNCR	418.00
10/08/19	32911	Schmidt Associates P.C.	55.00
10/08/19	32912	Pat Wakefield	194.00
10/08/19	32913	Rhonda Wyrsh	43.44
10/08/19	32914	Unique Management Services, Inc.	53.70
10/08/19	32915	Gale/Cengage Learning Inc.	213.53
10/11/19		Impound Payment - Tax Agent	557.00
10/11/19		Impound Payment - Firm Vendor	124.80
10/11/19	33140	Internal Revenue Service	4,781.89
10/21/19	TASCINSURAN CE	TASC DIRECT PAY October 2019	765.22
10/22/19	32916	Amazon	263.87
10/22/19	32917	AT&T	88.55
10/22/19	32919	DEMCO	60.67
10/22/19	32920	Gale/Cengage Learning Inc.	347.41
10/22/19	32921	Lowes Business Acct/GEGRB	58.77
10/22/19	32922	Mid America Books	657.40
10/22/19	32923	Missouri Evergreen	2,992.64
10/22/19	32924	Schendel Pest Services	800.00
10/22/19	32925	Scholastic Inc.	357.72
10/22/19	32926	Sherri Luce	61.95
10/22/19	32927	Spire	51.29
10/22/19	32928	Total Electronics Contracting Inc.	378.95
10/22/19	32929	VISA Card Services	772.99
10/22/19	32930	Baker & Taylor	309.31
10/25/19		Impound Payment - Tax Agent	453.50
10/25/19		Impound Payment - Firm Vendor	139.80
10/25/19	33164	Internal Revenue Service	4,214.18
10/30/19	LAGERS-PMT	MO Lagers Payment Payroll Deductions Oct 2019	2,995.48
10/31/19	32931	AFLAC	1,051.64
10/31/19	32932	Gale/Cengage Learning Inc.	39.73
10/31/19	32933	Houchen Bindery	109.50
10/31/19	32934	Jerry Welch	16.05
10/31/19	32935	Judy Welch	8.56
10/31/19	32936	Lowes Business Acct/GEGRB	44.89
10/31/19	32937	Perma-Bound	431.98
10/31/19	32938	Pinewood Nursery, Inc.	3,689.59
10/31/19	32939	Recorded Books	120.88
10/31/19	32940	Reed Electrical Contracting LLC	65.00
10/31/19	32941	Regent Book Company	21.07

Carthage Public Library
Check register
 October 1, 2019 - October 31, 2019

Date	Reference	Description	Amount
10/31/19	32942	Rowman & Littlefield Publishing Group	224.21
10/31/19	32943	Sam's Club MC/SYNCB	1,124.28
10/31/19	32944	Schendel Pest Services	200.00
10/31/19	32945	Voya Financial	152.82
10/31/19	P89	Payroll Journal Entry	27,048.18
Total demand			79,114.04

Director's Progress and Service Report

November 2019, Julie Yockey, Director

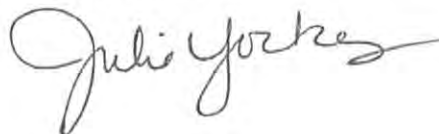
The Carthage Public Library has huge news to finally share with our community. Thanks to the K.D. and M.L. Steadley Trust we will be breaking ground very soon on a new 2,100 sq foot facility that will be one of a kind in our part of Missouri, perhaps, all of Missouri for public libraries. This building will be situated in our library Gardens with easy access to the library proper. Our Ground Breaking Ceremony is set to take place on November 18, at 10:00 AM. The public is invited.

With what started as needing more storage space, we have pushed our library to the forefront of our community and she has quickly become the jewel of Carthage. Our dream has grown into a multipurpose/educational building for the patrons of the Carthage Public Library, for users of all ages, ethnic, cultural and financial backgrounds. The building will be used to enhance and broaden our already popular children's and adults programs plus, we will focus on offering the much popular "Makerspaces" to people of all ages. A "Space to Learn, Grow and Share," will offer "Makerspaces" that are creative, DIY spaces where people/community gather to create, invent and learn. Through group instruction as well as individual instruction, patrons will have access to a 3 D laser printer, 3 D printer, woodworking tools as well as mechanic tools, which would be available for check-out, art and crafts, sewing machines, STEM for children and teens, digitization, cooking and health and wellness classes. Dalton-Killinger has been awarded the contract to construct the new facility with Hunter and Millard as the architectural firm. The possibilities are endless.

The Pineville Public Library made two separate visits to Carthage to tour our library as well as to observe our early literacy and adult bi lingual programs. It is awesome to have visitors and to "Show off" our library. The Southwest Missouri Library Directors will meet in Neosho on the 26th for their regularly scheduled gathering of directors. I attended a meeting at the Carthage Technical Center on the 4th of November to share ideas with others in attendance about our adult and early literacy bi lingual programs. It was discovered that even though the school and library collaborate better than most school and libraries do, there are a number of things we can put in to place to help us all meet the educational needs of our Hispanic population better. On December 10th the Library will host a luncheon for the Emerging Leaders group through the Chamber of Commerce of Commerce. I will speak to the group about my advocacy at the state and national levels, my work to sustain and grow our local public library, and your outreach efforts into our Hispanic community. This should be a fun afternoon at the library which will end with tours. On December 17th in collaboration with the Missouri State Library and the USCIS office in Kansas City, I will be partnering in a workshop for other interested public libraries about our adult citizenship program at the library. Lastly, and most exciting, one of our first adult students, which has been coming to class twice a week for four years, Miquel will be receiving his American citizenship status on November 20th in Kansas City and of course we are going to help him celebrate.

Have a wonderful Thanksgiving, the library will be closed the 28th and 29th so that our staff may spend time with their families.

Respectfully submitted,



Children's Progress Report
October 2019, Sherri Luce

October brought with it a busy month of Youth Services. Between in-house story times and visiting our outreach partners, Ms. Sherri read to 12 groups of children; while Ms. Janine hosted four in-house bilingual story times and visited the Kindergartners at Fairview Elementary this month.

Candice, Ben, and Sherri traveled again to the Summer Reading Workshop in Marionville, Missouri late this month. We always get some great ideas by collaborating with other libraries, and this year was no exception. The 2020 theme is, "Imagine Your Story". With the possibility of the new educational building being completed by June, we are brainstorming ideas of different programs we will be able to offer. Having the additional space to host multiple programs at the same time is very exciting!

CIRCULATION REPORT for October 2019

New Books/Periodicals	
Adult Books	<u>158</u>
Adult Periodicals	<u>70</u>
YA Books	<u>21</u>
YA Periodicals	<u>3</u>
Juvenile Books	<u>96</u>
Juv Periodicals	<u>17</u>
Totals	<u>365</u>

New Applications	
Adult	<u>51</u>
Juvenile	<u>25</u>
Total	<u>76</u>

AWE Computers	
AWE #1	<u>65</u>
AWE #2	<u>81</u>
AWE #3 (Bilingual)	<u>67</u>
AWE #4 (Bilingual)	<u>79</u>
Total	<u>292</u>

Computer Use	
Adult	<u>621</u>
Reference/Genealogy	<u>23</u>
Microfilm	<u>8</u>
Juvenile	<u>109</u>
Tablets	<u>40</u>
AWE	<u>292</u>
Teen Laptops	<u>106</u>
Wireless	<u>326</u>
Total	<u>1525</u>

Circulation	Adult	YA	Juvenile	Total
Books	<u>1957</u>	<u>179</u>	<u>1964</u>	<u>4100</u>
Periodicals	<u>98</u>	<u>0</u>	<u>15</u>	<u>113</u>
Audio	<u>70</u>	<u>0</u>	<u>36</u>	<u>106</u>
Visual	<u>589</u>	<u>-</u>	<u>-</u>	<u>589</u>
Circulating Electronics	<u>2</u>	<u>-</u>	<u>-</u>	<u>2</u>
eBooks	<u>1,019</u>	<u>119</u>	<u>140</u>	<u>1278</u>
Totals	<u>3735</u>	<u>298</u>	<u>2155</u>	<u>6188</u>
In House Use	<u>145</u>	<u>-</u>	<u>-</u>	<u>145</u>
Courier	Lending <u>503</u>	Borrowing <u>425</u>		Total <u>928</u>
Circulation Total				<u>7261</u>

Learning Express	NewsBank	Ebscohost	HeritageQuest	Total
<u>7</u>	<u>8</u>	<u>107</u>	<u>0</u>	<u>122</u>

ENGLISH	Adult	YA	Juvenile	Total
Programs	<u>0</u>	<u>0</u>	<u>12</u>	<u>12</u>
Attendees	<u>0</u>	<u>0</u>	<u>338</u>	<u>338</u>

SPANISH	Adult	Juvenile	Total
Programs	<u>9</u>	<u>6</u>	<u>15</u>
Attendees	<u>76</u>	<u>129</u>	<u>205</u>

	Requests	Filled
ILL Requests Made	<u>0</u>	<u>0</u>
ILL Requests Rec'd	<u>156</u>	<u>0</u>

Door Count	NA
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	Adult	YA	Juvenile	Total
Mending	<u>72</u>	<u>0</u>	<u>30</u>	<u>102</u>
Discards	<u>155</u>	<u>2</u>	<u>134</u>	<u>291</u>
Corrective Processing	<u>10</u>	<u>0</u>	<u>20</u>	<u>30</u>

"Rosenberg's Rules of Order"

(Simple Rules of Parliamentary Procedure for the 21st Century)

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules - "Robert's Rules of Order" - which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time, and for another purpose. If one is chairing or running a Parliament, then "Robert's Rules of Order" is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of, say, a 5-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of "Rosenberg's Rules of Order."

What follows is my version of the rules of parliamentary procedure, based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars: (1) Rules should establish order. The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings. (2) Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate. (3) Rules should be user friendly. That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process. (4) Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, and fully participate in the process.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the Chair of the body who is charged with applying the rules in the conduct of the meeting. The Chair should be well versed in those rules. The Chair, for all intents and purposes, makes the final ruling on the rules every time the Chair states an action. In fact, all decisions by the Chair are final unless overruled by the body itself.

Since the Chair runs the conduct of the meeting, it is usual courtesy for the Chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the Chair should not participate in the debate or discussion. To the contrary, the Chair as a member of the body has the full right to participate in the debate, discussion and decision-making of the body. What the Chair should do, however, is strive to be the last to speak at the discussion and debate stage, and the Chair should not make or second a motion unless the Chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. And each agenda item can be handled by the Chair in the following basic format:

First, the Chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The Chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the Chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the Chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the Chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of public speakers. At the conclusion of the public comments, the Chair should announce that public input has concluded (or the public hearing as the case may be is closed).

Fifth, the Chair should invite a motion. The Chair should announce the name of the member of the body who makes the motion.

Sixth, the Chair should determine if any member of the body wishes to second the motion. The Chair should announce the name of the member of the body who seconds the motion. (It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the Chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the Chair.)

Seventh, if the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the Chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the Chair takes a vote. Simply asking for the "ayes", and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain". Unless the rules of the body provide otherwise (or unless a super-majority is required as delineated later in these rules) then a simple majority determines whether the motion passes or is defeated.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision-making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the Chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words: "I move" So, a typical motion might be: "I move that we give 10-day's notice in the future for all our meetings."

The Chair usually initiates the motion by either (1) Inviting the members of the body to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the body. "A motion would be in order that we give 10-day's notice in the future for all our meetings." (3) Making the motion. As noted, the Chair has every right as a member of the body to make a motion, but should normally do so only if the Chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a 5-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion which is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So that if a member makes what that member calls a "motion to amend", but the Chair determines that it is really a "substitute motion", then the Chair's designation governs.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to have a 5-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a 5-member committee to plan and put

on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the Chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Chair would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

Second, if the substitute motion failed, the Chair would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be 5 members or 10 members). If the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (5-member committee), or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a 2/3 vote of the body. Note: that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a 2/3 vote of the body. A similar motion is a **motion to object to consideration of an item.** This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a 2/3 vote.

Majority and Super-Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a 7-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which, effectively, cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a 2/3 majority (a super-majority) to pass:

Motion to limit debate. Whether a member says "I move the previous question" or "I move the question" or "I call the question" or "I move to limit debate", it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a 2/3 vote to pass.

Motion to close nominations. When choosing officers of the body (like the Chair) nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a 2/3 vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled, or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a 2/3 vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a 2/3 vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate, perhaps disagreement and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to a re-opener if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and by a 2/3 majority, can allow a motion to reconsider to be made at another time.) Second, a motion to reconsider can only be made by certain members of the body. Accordingly, a motion to reconsider can only be made by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she can make the motion to reconsider (any other member of the body may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again. That would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.

The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: "point of privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be: "point of order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers that the agenda has not been followed, the Chair simply reminds the body to return to the agenda item properly before them. If the Chair fails to do so, the Chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the Chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.