

1. Agenda

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[SPECIAL EMERGENCY COUNCIL MEETING AGENDA 03 19 20.PDF](#)

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**SPECIAL EMERGENCY COUNCIL MEETING AGENDA
CITY OF CARTHAGE, MISSOURI
THURSDAY, MARCH 19, 2020
12:00 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. New Business
 1. **C.B. 20-12** – An Ordinance approving the City of Carthage, Missouri's ability to conduct meetings using video conference technology; and to be considered an Emergency Ordinance due to unforeseen circumstances which delay would hinder the effective deliver of municipal service. (Staff)
 2. **C.B. 20-13** – An Ordinance to amend Section 13 of the Code of the City of Carthage by adding section 13-134, Enforcement of the Department of Health and Senior Services Regulation on Infectious Diseases. (Staff)
 3. **C.B. 20-14** – An Ordinance prohibiting any public gathering of 50 or more persons except for educational institutions, daycare facilities, and business operations within the corporate limits of the City of Carthage during the duration of the Mayor's Emergency Government Resolution of State of Emergency in the city of Carthage, State of Missouri dated March 19, 2020 or any extension thereof; authorizing the Mayor to issue an Order amending which public gatherings are prohibited to protect public health; establishing a penalty for violating the prohibition; and containing an emergency clause. (Staff)
7. Resolutions
 1. **Resolution 1897** – Supporting the Declaration of a State of Emergency within the City of Carthage; calling for proactive measures to protect the public health, safety and welfare; expressing support for and calling upon the Mayor and City Department Heads to enact regulations to protect the public health, safety and welfare. (Staff)
8. 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 SPECIAL MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
MARCH 19, 2020

The Carthage City Council met in Special session on the above date at 12:00 P.M. in the City Hall Council Chambers with Mayor Dan Rife presiding. Notice for the meeting was posted with less than 24 hours due to the emergency nature of the COVID-19 virus. 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, Juan Topete, James Harrison, Ray West, David Armstrong, Mike Daugherty and Ceri Otero. Council member Juan Topete was 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, Parks & Recreation Director Mark Peterson and City Clerk Traci Cox.

Mr. Daugherty made a motion, seconded by Mr. Newport, to approve the minutes of the March 10, 2020 Council Meeting. Motion carried unanimously.

Under New Business, C.B. 20-12 – An Ordinance approving the City of Carthage, Missouri's ability to conduct meetings using video conference technology; and to be considered an Emergency Ordinance due to unforeseen circumstances which delay would hinder the effective delivery of municipal service was placed on first reading with no action taken.

Mr. Snow made a motion, seconded by Mr. Armstrong, to follow the emergency protocol and advance Council Bills 20-12, 20-13 and 20-14 to the second reading. Motion passed.

C.B. 20-12 – An Ordinance approving the City of Carthage, Missouri's ability to conduct meetings using video conference technology; and to be considered an Emergency Ordinance due to unforeseen circumstances which delay would hinder the effective delivery of municipal service was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow and West. The council bill was approved and numbered Ordinance 20-06.

C.B. 20-13 – An Ordinance to amend Section 13 of the Code of the City of Carthage by adding section 13-134, Enforcement of the Department of Health and Senior Services Regulation on Infectious Diseases was placed on first reading with no action taken.

C.B. 20-13 – An Ordinance to amend Section 13 of the Code of the City of Carthage by adding section 13-134, Enforcement of the Department of Health and Senior Services Regulation on Infectious Diseases was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison,

Newport, Otero, Snow and West. The council bill was approved and numbered Ordinance 20-07.

C.B. 20-14 – An Ordinance prohibiting any public gathering of 50 or more persons except for educational institutions, daycare facilities, and business operations within the corporate limits of the City of Carthage during the duration of the Mayor's Emergency Government Resolution of State of Emergency in the city of Carthage, State of Missouri dated March 19, 2020 or any extension thereof; authorizing the Mayor to issue an Order amending which public gatherings are prohibited to protect public health; establishing a penalty for violating the prohibition; and containing an emergency clause was placed on first reading with no action taken.

C.B. 20-14 – An Ordinance prohibiting any public gathering of 50 or more persons except for educational institutions, daycare facilities, and business operations within the corporate limits of the City of Carthage during the duration of the Mayor's Emergency Government Resolution of State of Emergency in the city of Carthage, State of Missouri dated March 19, 2020 or any extension thereof; authorizing the Mayor to issue an Order amending which public gatherings are prohibited to protect public health; establishing a penalty for violating the prohibition; and containing an emergency clause was placed on second reading followed by a roll call vote of 6 yeas and 3 nays. Ayes: Collier, Daugherty, Harrison, Newport, Otero, and Snow. Nays: West, Armstrong and Barlow. The council bill was approved and numbered Ordinance 20-08.

Mr. Daugherty made a motion, seconded by Mr. Harrison, to approve Resolution 1897 – A Resolution supporting the Declaration of a State of Emergency within the City of Carthage; calling for proactive measures to protect the public health, safety and welfare; expressing support for and calling upon the Mayor and City Department Heads to enact regulations to protect the public health, safety and welfare. Mr. Newport made a motion, seconded by Mr. Armstrong, to strike "Canceling or suspending Council and/or Committee meetings or activities" from Resolution 1897. Motion failed with Council Members Collier, Daugherty, Harrison, Otero, Snow and West casting Nay votes. Resolution 1897 was adopted by a vote of 8 yeas and 1 nay. Ayes: Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow and West. Nay: Armstrong.

Mr. Daugherty made a motion, seconded by Mr. Harrison, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 12:48 PM.

Dan Rife, Mayor

Traci Cox, City Clerk

**SPECIAL EMERGENCY COUNCIL MEETING AGENDA
CITY OF CARTHAGE, MISSOURI
THURSDAY, MARCH 19, 2020
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 1. **Resolution 1897** – Supporting the Declaration of a State of Emergency within the City of Carthage; calling for proactive measures to protect the public health, safety and welfare; expressing support for and calling upon the Mayor and City Department Heads to enact regulations to protect the public health, safety and welfare. (Staff)
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MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
March 10, 2020

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: Ceri Otero, Darren Collier, Alan Snow, Kirby Newport, Ed Barlow, Juan Topete, James Harrison, Ray West, and David Armstrong. Councilman Mike Daugherty was 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, Parks & Recreation Director Mark Peterson and Deputy City Clerk Michael Miller.

Mr. Armstrong made a motion, seconded by Mr. Harrison, to approve the minutes of the February 25, 2020 Council Meeting. Motion carried unanimously.

Mr. Snow reported the Budget, Ways and Means Committee met on March 9. The department heads discussed their Five-Year Capital Improvement Program items. The committee discussed the acceptance of a 2020 Jasper County Law Enforcement Sales Tax Grant in the amount of \$28,771 to be used by the police department for ODET fees, load bearing vests, and taser replacements. The committee approved the motion to forward the item to City Council for approval on Resolution 1896. Also discussed was an ordinance amending the 2019-2020 annual operating and capital budget for the City of Carthage. The committee approved a motion to forward this item on a council bill for City Council approval at the March 24 council meeting. City Administrator Tom Short discussed the March Sales Tax Report which is approximately 2% higher than this time last year.

Ms. Otero reported the Committee on Insurance/Audit and Claims met on this date in the Council Chambers and approved the claims. Carthage Convention and Visitor's Bureau Director Niki Cloud was present to discuss the financials and reporting of the CVB. The City of Carthage Wellness Committee is focusing on stress management and depression this month and is currently planning the Health Fair for April 17. There is a small increase in the new worker's compensation rates and police and fire pension rates.

Mr. Harrison reported the Public Safety Committee is in between meetings with the next meeting scheduled for March 30.

Mr. Topete reported the Public Services Committee is in between meetings with the next meeting scheduled for March 17.

Ms. Otero reported the Public Works Committee met on March 3. The Committee approved a motion for a council bill to be forward to City Council for approval for an alley vacation between 1429 S. Clinton and 1500 S. Grand, North of Centennial. This item is being presented on C.B. 20-11. Also approved on a motion by the Committee is for approval of adopting the amendments and changes to the 2006 International Building Code Appendix H. This item is being presented on C.B. 20-08. The Committee approved a motion to accept a contract between the City of Carthage and CDL Electric for lighting improvements and upgrades at City Hall. This item is being presented on C.B. 20-07. Also discussed and approved on a motion was a contract between the City of Carthage and G&G Construction for road widening and stormwater improvements along the west side of River Street between George E. Phelps Boulevard and Fir Road. This item is being presented on C.B. 20-09. The Committee approved a motion to accept a contract between the City of Carthage and Sproul's Construction for various stormwater improvements. This item is being presented on C.B. 20-10.

Special Committee and Board Liaison reports were given by Mr. Topete for the Carthage Kellogg Lake Board and Carthage Tree Board, Mr. Armstrong for the Powers Museum Board, Mr. West for the Over 60 Center, and Ms. Otero for the Carthage Humane Society, Jasper County Commissioners, and Harry S Truman Coordinating Council.

During Report of the Mayor, Mayor Rife mentioned that it is a busy time of the year with the budget and a lot of meetings coming up.

During Reports of Council Members, Mr. Barlow reported that a Monday evening would be best for a City Council work day meeting and is looking forward to hearing from the other council members on how soon they would like to plan this meeting. Ms. Otero reported that she attended the Student Government Day luncheon and commended Mr. Newport and Mr. Barlow for their work with the students. Mr. Armstrong reported a possible need for an alternate plan for the Carthage Convention and Visitor's Bureau and noted that an in-house position to market Carthage would be an option. Mr. West echoed Ms. Otero in reference to Student Government Day and that it was very informative and the students were very good.

Fire Chief Roger Williams reported that he has attended several meetings for the coronavirus and that he has learned that it is in the containment stage.

Parks & Recreation Director Mark Peterson reported that the interviews with the Parks Master Plan consulting group are coming up.

City Administrator Tom Short reported on the following: the governor's cost-share program, the budget adjustment council bill at the next council meeting, he attended a Region M board meeting, the 2021 budget is due Friday with revenue estimates, the Enhanced Enterprise Zone, the Schreiber's project, the recommended changes on the fireworks contract, he attended a meeting at the Chamber of Commerce, he had a meeting with a Powers Museum member, the March sales tax revenue report, and the Walmart drug disposal kiosks.

The Committee on Claims filed a report in the amount of \$2,204,811.63 against the following funds: General Revenue \$114,816.32, Public Health \$7,960.18, Lodging \$8,500.00, Parks/Stormwater \$1,185.58, Fire Protection \$12,446.64, Golf \$10,782.67, Capital Improvements \$48,260.70, Parks & Recreation \$6,208.24, Library \$25,000.00, Payroll \$469,651.30, and Carthage Water & Electric \$1,500,000.00. 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. 20-07 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and CDL Electric of Pittsburg, Kansas for lighting improvements and upgrades at City Hall was placed on first reading with no action taken.

C.B. 20-08 – An Ordinance adopting and amending APPENDIX H (Signs) of the International Building Code/2006 was placed on first reading with no action taken.

C.B. 20-09 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and G&G Construction Co. Inc., of Carthage, Missouri for the River Street Widening and Storm water Improvements project in an amount not to exceed \$241,016.14 was placed on first reading with no action taken.

C.B. 20-10 – An Ordinance authorizing the Mayor to execute a Contract between the City of Carthage, Missouri and Sprouls Construction, Inc., of Lamar, Missouri for Storm water Improvement projects in an amount not to exceed \$207,240.00 was placed on first reading with no action taken.

C.B. 20-11 – An Ordinance vacating a portion of an alley running North (from approximately 286 feet to 460 feet) off Centennial Street between Grand Avenue and Clinton Street, between 1429 S Clinton and 1500 Grand Avenue in Carthage Miscellaneous Addition, in the City of Carthage, Missouri was placed on first reading with no action taken.

Mr. Armstrong made a motion, seconded by Mr. Collier, to approve Resolution 1896 – 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 9 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Harrison, Newport, Otero, Snow, Topete and West.

During closing remarks, Mr. Newport stated that the City has an obligation to relay information to the public about the coronavirus. Mr. Barlow thanked the council members for their remarks in reference to his students. Mr. Armstrong stated that he was thankful for his opportunity to serve.

Mr. Armstrong made a motion, seconded by Mr. Snow, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 7:04 PM.

Dan Rife, Mayor

Michael Miller, Deputy City Clerk

***NEW
BUSINESS***

AN ORDINANCE APPROVING THE CITY OF CARTHAGE, MISSOURI'S ABILITY TO CONDUCT MEETINGS USING VIDEO CONFERENCE TECHNOLOGY; AND TO BE CONSIDERED AN EMERGENCY ORDINANCE DUE TO UNFORESEEN CIRCUMSTANCES WHICH DELAY WOULD HINDER THE EFFECTIVE DELIVERY OF MUNICIPAL SERVICE

1. Section 1. Meetings Using Video Conference Technology.

- a. Policy Statement.** While it is legally permissible for members of the City's public governmental bodies to attend meetings and vote via video conference transmission, a member's use of video conference attendance should occur only sparingly. Because it is good public policy for citizens to have the opportunity to meet with their elected officials face-to-face, elected members of a public governmental body should endeavor to be physically present at all meetings unless attendance is unavoidable after exercising due diligence to arrange for physical presence at the meeting. The primary purpose of attendance by video conference connection should be to accommodate the public governmental body as a whole to allow meetings to occur when circumstances would otherwise prevent the physical attendance of a quorum of the body's members. A secondary purpose of attendance by video conference should be to ensure that all members may participate in business of the public governmental body that is emergency or highly important in nature and arose quickly so as to make attendance at a regular meeting practically impossible. Except in emergency situations, all efforts should be expended to ensure that a quorum of the members of the public governmental body be physically present at the normal meeting place of the body.
- b. Video Conference Defined.** For purposes of this section "video conference" or "videoconferencing" shall refer to a means of communication where at least one member of a public government body participates in the public meeting via an electronic connection made up of three components: (1) a live video transmission of the member of the public governmental body not in physical attendance; or (2) a live audio transmission allowing the member of the public governmental body not in physical attendance to be heard by those in physical attendance; or (3) a live audio transmission allowing the member of the public governmental body not in physical attendance to hear those in physical attendance at a meeting. If at any time during a meeting one or more of the elements of a video conference becomes compromised (e.g., if any participants are unable to see, hear, or fully communicate), then the video conference participant is deemed immediately absent and this absence should be reflected in the minutes. A video conference participant's absence may compromise a quorum in which case the applicable Missouri laws shall take effect regarding a broken quorum.
- c. Frequency of Use of Video Conference Attendance.** A member of a public governmental body shall not attend more than two meetings via video conference in a rolling twelve-month period, unless additional authorized by the Council. In keeping with the policy stated in subsection (a) above, attendance via video conference should only occur sparingly and for good cause. Such good cause shall be at the discretion of the member seeking to attend by video conference, but shall be for significant reasons such as serious illness or

injury of the member or a member of his or her immediate family, including father or mother, spouse, sibling, child, or grandchild.

- d. **Physical Location.** Members of the public may not participate in a public meeting of a governmental body via video conference. The public wishing to attend a meeting, and elected officials not participating via videoconferencing of a meeting, shall participate at the physical location where meetings of the public governmental body are typically held, or as provided in a notice provided in accordance with the Sunshine Law. The public governmental body shall cause there to be provided at the physical location communication equipment consisting of an audio and visual display, and a camera and microphone so that the member(s) of the public governmental body participating via videoconferencing, the members of the public governmental body in physical attendance, and the public in physical attendance may actively participate in the meeting in accordance with rules of meeting decorum. The communication equipment at the physical location of the meeting must allow for all meeting attendees to see, hear, and fully communicate with the videoconferencing participant.
- e. **Voting.** Elected members of a public governmental body attending a public meeting of that governmental body via video conference are deemed present for purposes of participating in a roll call vote to the same effect elected members of a public governmental body in physical attendance at a public meeting of that governmental body are deemed present. As indicated in subsection (b) above, if any component of the video conference communication fails during the meeting, the member attending the meeting by video conference whose connection failed shall be deemed absent immediately upon such failure, and if the public governmental body was in the act of voting, the voting shall stop until all of the components of video conference attendance are again restored and the video conference participant's presence is again noted in the minutes.
- f. **Closed Meetings.** In a meeting where a member of a public governmental body is participating via videoconferencing and the meeting goes into a closed session, all provisions of Missouri law and City ordinances relating to closed sessions apply. Upon the public governmental body's vote to close the meeting, all members of the general public shall not be present. Likewise, a member of a public governmental body participating via videoconferencing must ensure there are no members of the public present at their location to see, hear, or otherwise communicate during the closed session. The member must also take all reasonable precautions to guard against interception of communication by others. Failure to ensure the requirements of this subsection may result in corrective action by the full public governmental body in accordance with City regulations.
- g. **Minutes.** In the meeting, whether in open or in closed session, the minutes taken should reflect the member, if any, participating via video conference; the members in physical attendance; and members, if any, absent.
- h. **Emergency meetings.** In the event that emergency circumstances create impossibility for the members of a public governmental body to physically attend the body as a whole may meet, and if necessary vote, by video conference. Examples of such emergency circumstances include, but are not limited to, war, riot, terrorism, widespread fire, or natural disaster such as earthquake, tornado, hurricane, flood, or blizzard. To the extent possible in such circumstances, the public governmental body shall use reasonable efforts to cause a physical location to be provided for public attendance and participation.

Section 2. Emergency Ordinance. This Ordinance shall be considered an emergency ordinance passed as an emergency measure under the terms of the Charter of the City due to unforeseen circumstances and delay would hinder the effective delivery of Municipal services.

Section 3. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS __DAY OF _____, 2020.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Staff

COUNCIL BILL NO. 20-13

ORDINANCE NO. _____

An Ordinance to amend Section 13 of the Code of the City of Carthage by adding section 13-134, Enforcement of the Department of Health and Senior Services Regulations on Infectious Diseases,

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

WHEREAS, Under Current Missouri Statute the Department of Health and Senior Services may make rules and regulations regarding communicable and infectious diseases,

WHEREAS, Missouri law provides local governmental bodies may enact local rules that are necessary for the enforcement of the rules and regulations of the Department of Health and Senior Services,

SECTION I: Section 13-134 of the Code of the City of Carthage is hereby amended to read as follows:

13-134: Enforcement of State of Missouri Health Regulations

Any person or person in violation, attempting to violate. assisting someone in attempting to violate, or assist someone in violation, of the rules and regulations of the Department of Health and Senior Services, who leave any pesthouse, or isolation hospital, or quarantined house, or place with the consent of the health officer having jurisdiction, or who evades or breaks quarantine or knowingly conceals a case of contagious, infectious or communicable diseases, or who removes, destroys, obstructs form the view, or tears down any quarantine card, cloth or notice posed by the attending physician or by the health officer, or by direction of a proper health officer, shall be guilty of a Misdemeanor.

SECTION II: This ordinance is to be considered an emergency ordinance under the terms of the charter of the City of Carthage in that an emergency exist due to the ongoing pandemic and any delay is detrimental to the health and safety of the citizens and inhabitants 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 _____, 2020.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Staff

AN ORDINANCE PROHIBITING ANY PUBLIC GATHERING OF 50 OR MORE PERSONS EXCEPT FOR EDUCATIONAL INSTITUTIONS, DAYCARE FACILITIES, AND BUSINESS OPERATIONS WITHIN THE CORPORATE LIMITS OF THE CITY OF CARTHAGE DURING THE DURATION OF THE MAYOR'S EMERGENCY GOVERNMENT RESOLUTION OF STATE OF EMERGENCY IN THE CITY OF CARTHAGE STATE OF MISSOURI DATED MARCH 19, 2020 OR ANY EXTENSION THEREOF; AUTHORIZING THE MAYOR TO ISSUE AN ORDER AMENDING WHICH PUBLIC GATHERINGS ARE PROHIBITED TO PROTECT PUBLIC HEALTH; ESTABLISHING A PENALTY FOR VIOLATING THE PROHIBITION; AND CONTAINING AN EMERGENCY CLAUSE.

WHEREAS, on December 2019, medical professional detected a novel coronavirus, now designated as "SARS-CoV-2," which causes a disease known as "coronavirus disease 2019," abbreviated and popularly known as "COVID-19"; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared an outbreak of COVID-19 as a Public Health Emergency of International Concern, advising countries to prepare for containment, detection, isolation and case management, contact tracing and prevention of onward spread of disease; and

WHEREAS, on March 11, 2020, the World Health Organization Director General characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 13, 2020, the Governor of the State of Missouri declared the COVID-19 outbreak a state emergency; and

WHEREAS, COVID-19 is spread person to person through direct or close proximate contact and presents an imminent threat of widespread illness; and

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARTHAGE, MISSOURI, as follows:

Section 1. A "public gathering" for purposes of this Ordinance shall be defined as a planned or spontaneous event with a number of people in attendance that could facilitate the spread of a communicable disease.

Section 2. City Council hereby prohibits any public gathering of 50 or more persons except for educational institutions, daycare facilities, and business operations in the corporate limits of the City of Carthage during the duration of the Mayor's resolution of emergency dated March 19, 2020, or any extension thereof.

Section 3. During the duration of the Mayor's resolution of emergency dated March 19, 2020, or any extension thereof, City Council hereby authorizes the Mayor, after consultation with appropriate city, county, and state officials as determined within his discretion, to issue an order amending which public gatherings are prohibited, either in number or in type, if his in his judgment the prohibition should be amended to protect public health.

Section 4. No person shall fail, neglect, or refuse to comply with, or in any manner aid, assist, encourage, or countenance the commission or perpetration of a violation of this prohibition in this Ordinance or any subsequent order regarding public gatherings issued by the Mayor during the time said resolution of civil emergency, or any extension thereof, shall be in effect. Any person who shall violate this provision shall be guilty of a Class A Misdemeanor.

Section 5. Emergency Ordinance. This Ordinance shall be considered an emergency ordinance passed as an emergency measure under the terms of the Charter of the City due to unforeseen circumstances and delay would hinder the effective delivery of Municipal services.

PASSED BY THE COUNCIL OF THE CITY OF CARTHAGE, MISSOURI, this 18th day of March 19, 2020.

Mayor Dan Rife

ATTEST:

Traci Cox, City Clerk

APPROVED AS TO FORM:

Nate Dally, City Attorney

RESOLUTIONS

RESOLUTION NO. 1897

SUPPORTING THE DECLARATION OF A STATE OF EMERGENCY WITHIN THE CITY OF CARTHAGE; CALLING FOR PROACTIVE MEASURES TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE; EXPRESSING SUPPORT FOR AND CALLING UPON THE MAYOR AND CITY DEPARTMENT HEADS TO ENACT REGULATIONS TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE.

WHEREAS, the first reported case of the novel coronavirus disease (COVID-19) occurred in the United States on January 24, 2020 with the first death occurring on February 28, 2020; and

WHEREAS, the Missouri Department of Health and Senior Services and the State Emergency Management Agency have reported there are confirmed cases of COVID-19 within the State of Missouri with the first case identified on March 7, 2020; and

WHEREAS, Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), on March 13, 2020 the President of the United States exercised Presidential authority to declare that the outbreak of COVID-19 in the United States constitutes a national emergency; and

WHEREAS, on March 13, 2020 Governor Mike Parson signed Executive Order 20-02 declaring a state of emergency in Missouri in response to (COVID-19) and

WHEREAS, the community spread of cases of COVID-19 in the United States poses a serious health risk for Carthage residents and visitors and identification of additional cases in Missouri and within the City of Carthage is likely to continue, and special measures are necessary to prevent a substantial risk to public health and safety; and

WHEREAS, the City Council desires to express its support for the Mayor and City Department Heads for proactive invocation of the emergency measures authorized under State law and the Carthage City Code to ensure the protection of the safety and welfare of the citizens of the City of Carthage;

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

THAT, due to COVID-19 an emergency exists within the City of Carthage, Missouri. This emergency has an increased impact on our community, small to large businesses, people experiencing homelessness, and city services and the response to this emergency will require the use of all city resources and the need to access State and Federal resources and financial mechanisms which is hereby supported by the City Council;

FURTHER THAT, the City Council finds proactive measures by the Mayor and City Department Heads are necessary to prevent death or injury of persons and to protect the public peace, safety and welfare, and alleviate damage, loss, hardship or suffering;

FURTHER THAT, the City Council expresses its support and calls upon the Mayor and City Department Heads to enact and enforce temporary emergency regulations or measures deemed advisable or necessary to minimize exposure risk to COVID-19 and protect the health and safety of persons in the City, including but not limited to:

- Limiting the congregation or gathering of more than 50 people;
- Limiting all gatherings of more than 10 people for individuals who are at higher risk for severe illness;
- Strongly encouraging the cancelation of any event or gathering in excess of 25 people, regardless of whether such event is public or private;
- Encouraging any small event or gathering which continues to be held by the organizer to adopt additional social distancing modifications for participants;

- Leading by example by canceling public events where applicable;
- Taking actions to enforce any health recommendations from federal and state authorities;
- Restricting public and private assemblies within the city based upon CDC recommended guidelines and orders of the Mayor or City Department Head;
- Suspending or modifying personnel rules and regulations to ensure employees have adequate resources and protections, including the reassignment of personnel from their ordinary duties to work deemed necessary for the emergency without regard to job classifications;
- Closing or restricting public access to municipal facilities;
- Impose greater restrictions for facilities, events or gatherings that house or draw persons who are at higher risk for severe illness;
- Canceling or suspending Council and/or Committee meetings or activities;
- Authorizing the use of all available resources to assist in the City's response to this situation;
- Suspending rules and regulations that may inhibit or prevent prompt response to this threat;
- Taking necessary steps to enforce enacted regulations or orders of the Mayor and City Department Heads.

FURTHER THAT, such measures be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Staff