

1. Agenda

Documents:

[CITY COUNCIL AGENDA 03 23 21.PDF](#)

2. Meeting Materials

Documents:

[COUNCIL PACKET 03 23 21.PDF](#)

**COUNCIL AGENDA
CITY OF CARTHAGE, MISSOURI
TUESDAY, MARCH 23, 2021
COUNCIL CHAMBERS
6:30 P.M.**

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
 - Pinning Ceremony for Police Officers

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 Council Members

(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. **Bring from table C.B. 21-02** – An Ordinance to enter into a Memorandum of Understanding Agreement with Schreiber Foods, Inc., for the completion of certain improvements to Hazel Street and cost share of a roundabout at Fir Road and Dr. Russell Smith Way in the City of Carthage, Missouri. (Public Works)
2. **Bring from table C.B. 21-04** – An Ordinance of the City Council of the City of Carthage, Missouri acknowledging the Tax Abatement granted by the County Commission of Jasper County, Missouri for a project located in the

Carthage/Jasper County Enhanced Enterprise Zone. (Enhanced Enterprise Zone)

3. **C.B. 21-11** – An Ordinance amending the Annual Operating and Capital budget of the City of Carthage for Fiscal Year 2020-2021 for specified funds (General, Public Safety Grant, Civic Enhancement Fund, and Capital Improvements Sales Tax Fund). (Budget Ways & Means)
4. **C.B. 21-12** – An Ordinance annexing certain adjacent territory commonly known as 1699 West Fairview into the City of Carthage, Jasper County, Missouri as requested by Bill Wilson. (Public Works)
5. **C.B. 21-14** – An Ordinance to amend Section 4-20 Vicious Dog, of the Carthage Code by replacing with 4-20 Dangerous Dogs, in the City of Carthage, Missouri. (Public Safety)

16. New Business

1. **C.B. 21-15** – An Ordinance to allow the Mayor to enter into a contract with Hunter Chase and Associates for City Sidewalk Improvements Phase 4 (Central East to 96 Bridge) in the amount of \$385,528.00. (Public Works)
2. **C.B. 21-16** – An Ordinance authorizing the Mayor to enter into a contract with the Fair Acres Family YMCA, Inc. for Aquatic Facility Management at Municipal Park. (Public Services)

17. Mayor's Appointments

- Planning, Zoning & Historic Preservation Commission

18. Resolutions

1. **Resolution 1925** – A Resolution authorizing withdrawal of the City of Carthage's participation from Midwest Public Risk of Missouri's Property and Liability Programs for the 2021-2022 Policy Year. (Insurance, Audit and Claims)
2. **Resolution 1926** – A Resolution of the City Council of the City of Carthage approving a recommendation of the Public Works Committee granting an Administrative Lot Split for property located West of Hazel Avenue and North of George E Phelps Boulevard consisting of approximately 107 Acres. (Public Works)

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

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MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
March 9, 2021

The Carthage City Council met in regular session on the above date in City Hall Council Chambers at 6:30 P.M. 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: David Armstrong, Ray West, Ceri Otero, Mike Daugherty, Alan Snow, Craig Diggs, Ed Barlow, Seth Thompson, James Harrison and Juan Topete. City Administrator Tom Short and City Attorney Nate Dally were also 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, City Clerk Traci Cox and Deputy City Clerk Miranda Deal.

Mr. Daugherty made a motion, seconded by Mr. Snow, to approve the minutes of the February 23, 2021 Council Meeting. Motion carried unanimously.

During Citizen's Participation Period: Chuck Bryant with Carthage Water & Electric Plant gave a presentation on what happened during winter storm Uri. He provided data from the Southwest Power Pool on why we had to do rolling blackouts, how the City of Carthage managed to make it through the extreme weather, and why we should not see rate increases like the other cities in the SPP.

Mr. Snow reported the Budget Ways & Means Committee met on March 9. The five-year CIP was reviewed. The annual LEST grant was approved and is being presented in Resolution 1923, a budget amendment was approved and is being presented in C.B. 21-11. The next meeting is scheduled for April 12.

Ms. Otero reported the Committee on Insurance, Audit and Claims met on this date and approved the claims. The committee also discussed a \$20 per month gym membership reimbursement for City employees who go to a local gym at least 12 times per month and turn in proof of visits. Ms. Otero made a motion, seconded by Mr. Harrison, to approve the reimbursement amount. Motion carried. The committee also discussed increasing the City of Carthage Wellness Program incentive amount to \$75 for employees who meet the 100 point criteria on the Wellness Program. Ms. Otero made a motion, seconded by Mr. Armstrong, to approve the incentive increase. Motion carried.

Mr. Harrison reported the Public Safety Committee is between meetings with the next meeting scheduled for March 15.

Mr. Topete reported the Public Services is between meetings with the next meeting scheduled for March 16.

Mr. Daugherty reported the Public Works Committee met March 2. Bids for the Phase 4 Sidewalk project were reviewed. Mr. Daugherty made a motion, seconded by Mr. Diggs, to accept the low bid of \$385,528.00 from Hunter Chase. Motion carried. Amendments to the ICC Code were approved and are being presented in C.B. 21-13.

Special Committee and Board Liaison reports were given by Mr. Snow for the GRO Committee and Ms. Otero for Carthage Humane Society.

Mayor Rife introduced Danny Lambeth, who gave a presentation about what the GRO Committee is doing and what their goals are for the City of Carthage.

During reports of Council Members, Mr. Armstrong voiced his opinion on the McCune Brooks Hospital Trust not upholding the promises that were made to the City when the City agreed to sell the hospital. Mr. Snow stated that C.B. 21-10 regarding the Use Tax will only affect online purchases where the goods are coming in from another State. He stated that he is very much in favor of the Council Bill and thinks that it will be a great option to expand our revenue bases that will help support our five-year CIP. Ray West stated that he had conducted a small survey in his neighborhood the last time the Use Tax was on the Council agenda, and the overall feedback he received was positive. Mr. Barlow thanked the Department heads for their visions of the future in Carthage.

City Attorney Nate Dally reported that C.B. 21-14 is a long amendment to a small ordinance and that more changes will be made before the second reading at the next council meeting. Also, Resolution 1919 had some changes done to it, however, the changes are wrong and do not contain the correct location the Resolution is referring to.

Parks and Recreation Director Mark Peterson reported that the Master Plan for the Parks and Recreation Department is close to being done. He hopes to have the results soon and start having citizen participation meetings within the next 4-6 weeks.

City Administrator Tom Short reported on the following: Callie with the Convention & Visitor's Bureau is set to start meeting with all Departments to determine what information they would like to have available for the public, the COVID vaccine clinic was a success, sales tax numbers are still up, there is a Humane Society meeting set for March 11, CARES Act reimbursements are still pending, and the railroad lawsuit is still ongoing. He also discussed the Governor's Cost Share Program. Mr. Armstrong made a motion, seconded by Mr. Diggs, to reject the Governor's Cost Share Program for the work on Hazel Ave from Fairview to George E Phelps Blvd. Motion carried.

The Committee on Claims filed a report in the amount of \$683,726.53 against the following funds: General Revenue \$79,870.98, Public Health \$1,280.21, Lodging Tax \$8,236.70, Parks/Stormwater \$16,387.00, Fire Protection \$27.44, Golf \$7,064.44, Parks & Recreation \$1,200.00, Public Facilities \$13,496.00, Library \$25,000.00, and Payroll \$531,163.76. Ms. Otero made a motion, seconded by Mr. Armstrong, to accept the report and allow the claims. Motion carried.

Under old business, C.B. 21-09 – An Ordinance authorizing the Mayor to enter into an intergovernmental police protection mutual aid agreement between the City of Carl Junction, Missouri and City of Carthage Police Department pursuant to MO. Rev. Statute §70.820 (2000) was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Daugherty, Diggs, Harrison, Otero, Snow, Thompson, Topete and West. The Council Bill was approved and numbered Ordinance 21-09.

C.B. 21-10 – An Ordinance of the City of Carthage, Missouri, imposing a Use Tax for General Revenue Purposes at the rate of Two and Three-Quarters Percent (2.75%) pursuant to the authority granted by and subject to the provisions of Sections 144.600 through 144.761 RSMo; providing for the Use Tax to be repealed, reduced or raised in the same amount as any City Sales Tax is repealed, reduced or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the General Municipal Election called and to be held in the City on August 03, 2021 was placed on second reading followed by a roll call vote of 9 yeas and 1 nays. Ayes: Armstrong, Barlow, Daugherty, Harrison, Otero, Snow, Thompson, Topete and West. Nays: Diggs. The Council Bill was approved and numbered Ordinance 21-10.

Under new business, C.B. 21-11 – An Ordinance amending the Annual Operating and Capital budget of the City of Carthage for Fiscal Year 2020-2021 for specified funds (General, Public Safety Grant, Civic Enhancement Fund, and Capital Improvements Sales Tax Fund) was placed on first reading with no action taken.

C.B. 21-12 – An Ordinance annexing certain adjacent territory commonly known as 1699 West Fairview into the City of Carthage, Jasper County, Missouri as requested by Bill Wilson was placed on first reading with no action taken.

C.B. 21-13 – An Ordinance to amend Chapter 6 – Buildings and Building Regulations of the Carthage Code, by adopting the International Code Council 2018 Codes as supplemented or amended and the 2017 NEC Code as supplemented or amended was placed on first reading with no action taken

C.B. 21-14 – An Ordinance to amend Section 4-20 Vicious Dog, of the Carthage Code by replacing with 4-20 Dangerous Dogs, in the City of Carthage, Missouri was placed on first reading with no action taken

Resolution 1919 – A Resolution of the City Council of the City of Carthage approving a staff recommendation granting an Administrative Lot Split for property located at South Side of Elk Street East of Grand Ave., Carthage, Missouri. Resolution 1919 failed due to lack of motion.

Mr. Armstrong made a motion, seconded by Mr. Snow, to approve Resolution 1923 – A Resolution providing for the formal acceptance of a donation by the City Council of the City of Carthage, Missouri pursuant to City Policy. Resolution 1923 was adopted by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Daugherty, Diggs, Harrison, Otero, Snow, Thompson, Topete and West.

Mr. Barlow made a motion, seconded by Ms. Otero, to approve Resolution 1924 – A Resolution approving the recommendation of the McCune-Brooks Regional Hospital Trust for the distribution of funds (\$75,000 per year for five years) from the Restricted Trust Fund to Joplin Regional Medical School Alliance. Resolution 1924 was adopted by a roll call vote of 9 yeas and 1 nays. Ayes: Barlow, Daugherty, Diggs, Harrison, Otero, Snow, Thompson, Topete and West. Nays: Armstrong.

During closing comments, Mr. West thanked everyone who showed up to the meeting. Mr. Snow thanked Chief Williams for his nice weather reports the last week. Mr. Diggs thanked Chuck Bryant for his presentation.

Mr. Topete made a motion, seconded by Mr. Daugherty, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 8:10 p.m.

Dan Rife, Mayor

Traci Cox, City Clerk

***PRESENTATIONS/
PROCLAMATIONS***

***PUBLIC
HEARINGS***

***OLD
BUSINESS***

COUNCIL BILL NO. _____

ORDINANCE NO. _____

An Ordinance to enter into a Memorandum of Understanding Agreement with Hazel 71, LLC, a Delaware limited liability company ("Hazel 71"), for the completion of certain improvements to Hazel Street and cost share of a roundabout at Fir Road and Dr Russell Smith Way in the City of 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 enter into a Memorandum of Understanding with Hazel 71 detailing the agreement to improve Hazel Street as well as the cost share of the roundabout at Fir Road and Dr. Russell Smith Way, a copy of which is attached hereto and incorporated herein as if set out in full.

SECTION II: Section 23-172 (d) of the Code of the City of Carthage shall be amended to add Hazel Street, George E Phelps to Fir Road (HH Hwy) as a designated truck route.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Public Works Committee

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
HAZEL 71, LLC, A DELAWARE LIMITED LIABILITY COMPANY,
AND THE CITY OF CARTHAGE, MISSOURI,
A MUNICIPAL CORPORATION**

THIS MEMORANDUM OF UNDERSTANDING (this "MOU") is agreed to and entered into this ____ day of _____, 2021 (the "**Effective Date**"), by and between Hazel 71, LLC, a Delaware limited liability company, hereinafter referred to as "**Developer**", and the City of Carthage, a Municipal Corporation, hereinafter referred to as "**City**".

WHEREAS, Schreiber Foods, Inc., a Wisconsin corporation ("**Schreiber**"), desires to expand its operations in the City of Carthage, and has contracted or anticipates contracting with Developer to develop, construct and lease to Schreiber a new facility with an approximately 420,000 rentable square foot manufacturing and distribution building (the "**New Facility**") on property adjacent to Hazel Avenue near Myers Park; and

WHEREAS, transportation improvements have been deemed necessary from West E. Phelps Blvd. South to Missouri State Highway HH (a.k.a. West Fir Road) to accommodate the additional shipments to and from such New Facility on Hazel Avenue; and

WHEREAS, Hazel Avenue currently is not designated as a Truck Route, but as a result of this Memorandum of Understanding and associated improvements contained herein, Hazel Avenue from West George E. Phelps Blvd. to HH Highway will be designated as a Truck Route by the City Council; and

WHEREAS, a Transportation Improvement project has been approved by the Missouri Highways and Transportation Commission and the City of Carthage through the Commission's Cost Share Program consisting of the construction of a roundabout at the intersection of Missouri State Highway HH (West Fir Road) and the I-49 West Outer Road (Dr. Russell Smith Way), which proposed project would tie the ramps into a roundabout intersection (collectively, the "**Roundabout Improvements**") at a total estimated project cost of two million six hundred eighty-seven thousand six hundred eighty-two and no/100 dollars (\$2,687,682.00); and

WHEREAS, the City and Developer have reached an agreement for cost sharing of the projects to be completed to accommodate the operations at this New Facility.

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

1. Hazel Avenue Improvements.

- a. The City will make the following improvements to Hazel Avenue from West George E. Phelps Boulevard South to Missouri State Highway HH (West Fir Road), all as more particularly described on Exhibit A-1 attached hereto (collectively, the "**Phase I Improvements**"):

- i. Widening from West George E. Phelps Boulevard South to Missouri State Highway HH (West Fir Road) approximately 420' to existing curb and gutter on west side of Hazel Avenue.
 - ii. Overlay from West George E. Phelps Boulevard South to Missouri State Highway HH (West Fir Road).
 - iii. Stormwater, utility relocations.
 - iv. Curb and Gutter installation.
- b. The Phase I Improvements are estimated to cost four hundred forty-four thousand nine hundred thirty-eight and 39/100 dollars (\$444,938.39) (as shown on Exhibit A-2 attached hereto). The City will pay for the Phase I Improvements with its own funds without reimbursement from Developer, its assignee, Schreiber, or any other third party. Moreover, if the City, in its sole discretion, elects to perform additional improvements to Hazel Avenue at any point thereof, the City acknowledges that neither Developer, Schreiber, nor any other third party has any obligation to pay for or reimburse the City for any portion of the cost of such additional improvements.
- c. The City shall complete the Phase I Improvements no later than six months from the date of annexation of the site of the New Facility into the City's boundaries.
- d. The City acknowledges that development of the New Facility will require the Developer to connect the New Facility to the water supply on the opposite of Hazel Avenue, and the City agrees that the Developer may accomplish such connection by cutting through the Hazel Avenue pavement, rather than boring underneath the Hazel Avenue pavement. The City will coordinate with the Developer on the timing of the Phase I Improvements to allow the Developer to make this connection and cut through the existing Hazel Avenue Surface before the Phase I Improvements are performed to the relevant portions of Hazel Avenue.
- e. The City's construction of the Phase I Improvements shall not interfere with the Developer's development or construction of the New Facility.

2. Roundabout Improvements.

- a. The City shall complete the Roundabout Improvements at its own initial expense, subject to the reimbursement in Section 2.b below.
- b. Schreiber will reimburse the City six hundred fifty-five thousand and no/100 dollars (\$655,000.00) (the "**Roundabout Reimbursement Amount**") as an agreed to amount to be used to offset the City's project cost of the Roundabout Improvements at the intersection of Missouri State Highway HH (West Fir Road) and the I-49 West Outer Road (Dr. Russell Smith Way). The City shall be solely responsible for all costs to complete the Roundabout Improvements in excess of the Roundabout Reimbursement Amount without further reimbursement from Developer, Schreiber, or any other third party.
- c. Developer shall pay the Roundabout Reimbursement Amount to the City as follows:
 - i. Payments shall be made in three (3) equal installment payments of two hundred eighteen thousand three hundred thirty-three and 33/100 dollars (\$218,333.33).
 - ii. Such installments shall be due and payable as follows:
 - 1. The first installment shall be due and payable on or before July 1, 2021;
 - 2. The second installment shall be due and payable within twelve (12) months of the First Installment Due Date, and

3. The third installment shall be due and payable within thirty (30) days following the City's substantial completion of the Roundabout Improvements and the City's delivery of notice thereof to Developer.

Notwithstanding the foregoing, in no event shall any installment payment from Developer become due or payable prior to the City's substantial completion of the Phase I Improvements.

3. **Access to New Facility.** The City hereby confirms that there shall be no restriction or reduction on access, traffic volume or traffic type to and from the New Facility regardless of whether the Phase I Improvements or the Roundabout Improvements are complete. For clarification (and without limiting the foregoing), there shall be no restriction or reduction on access, traffic volume or traffic type even during the period of time before and during the construction of the Phase I Improvements and the Roundabout Improvements. Additionally, at all times during the construction of the Phase I Improvements, the City shall maintain continuous vehicular access to the New Facility site via a commercially reasonable route.
4. **Assignment.** The City acknowledges that Developer may sell its interest in the New Facility or the real property upon which the New Facility is or will be located, and Developer may assign all of its rights and obligations hereunder to any successor to Developer's interest in the New Facility or such property, provided, however, Schreiber will remain an intended third party beneficiary of this MOU and entitled to enforce the provisions hereof so long as Schreiber continues to lease or occupy the New Facility.
5. **Amendments.** Any change in this MOU, whether by modification or supplementation, must be accomplished by a formal amendment signed and approved by the duly authorized representatives of the City, Developer and Schreiber.

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the day and year first above written.

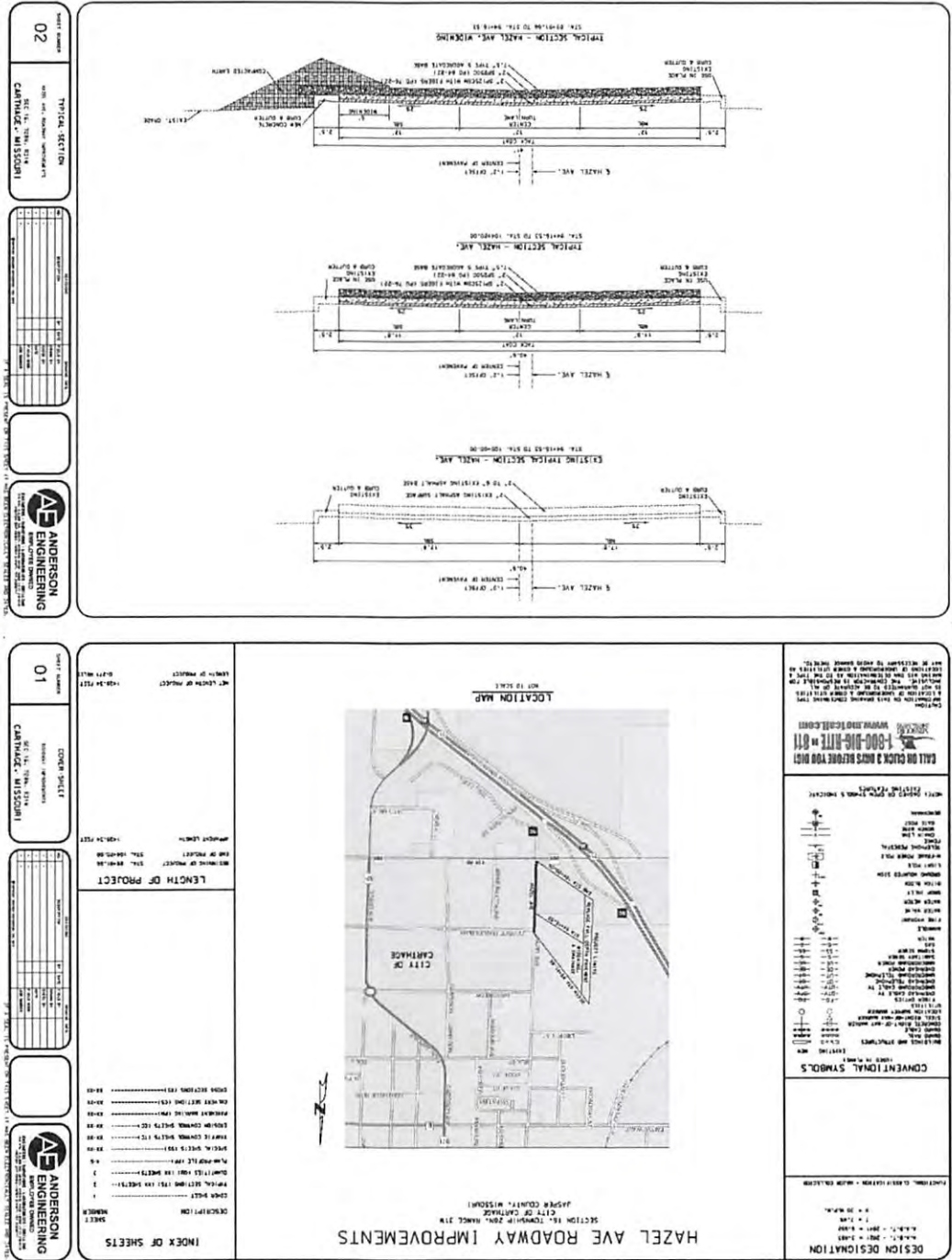
DEVELOPER:
HAZEL 71, LLC,
a Delaware limited liability company

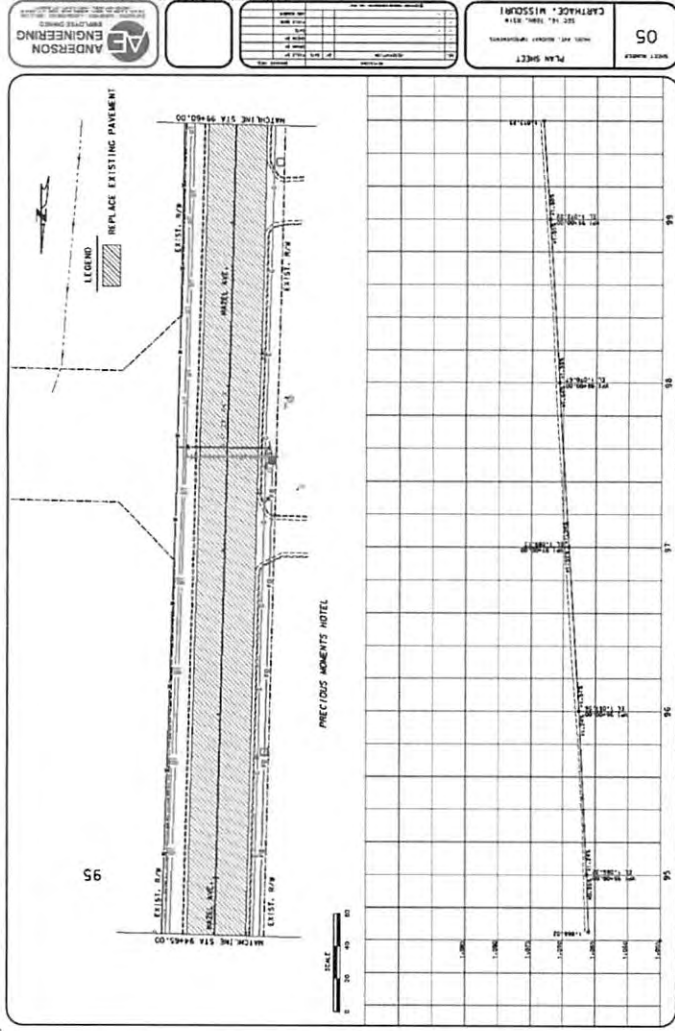
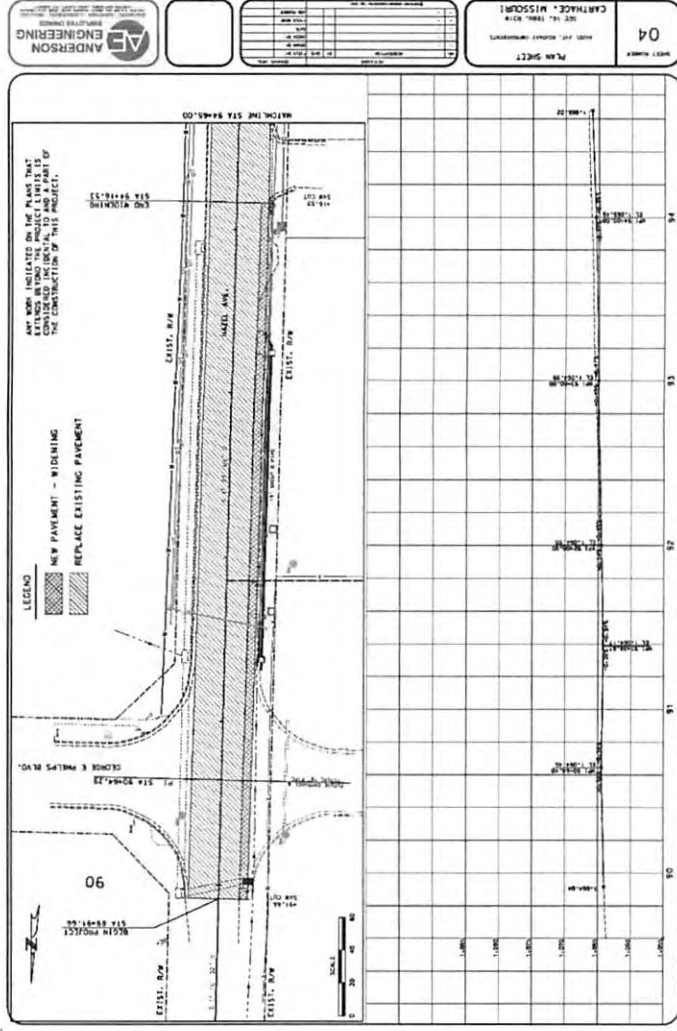
CITY:
CITY OF CARTHAGE, MISSOURI

By: _____
Name: _____
Its: _____

By: _____
Dane-Dan Rife, Mayor

Exhibit A-1 PHASE I IMPROVEMENTS





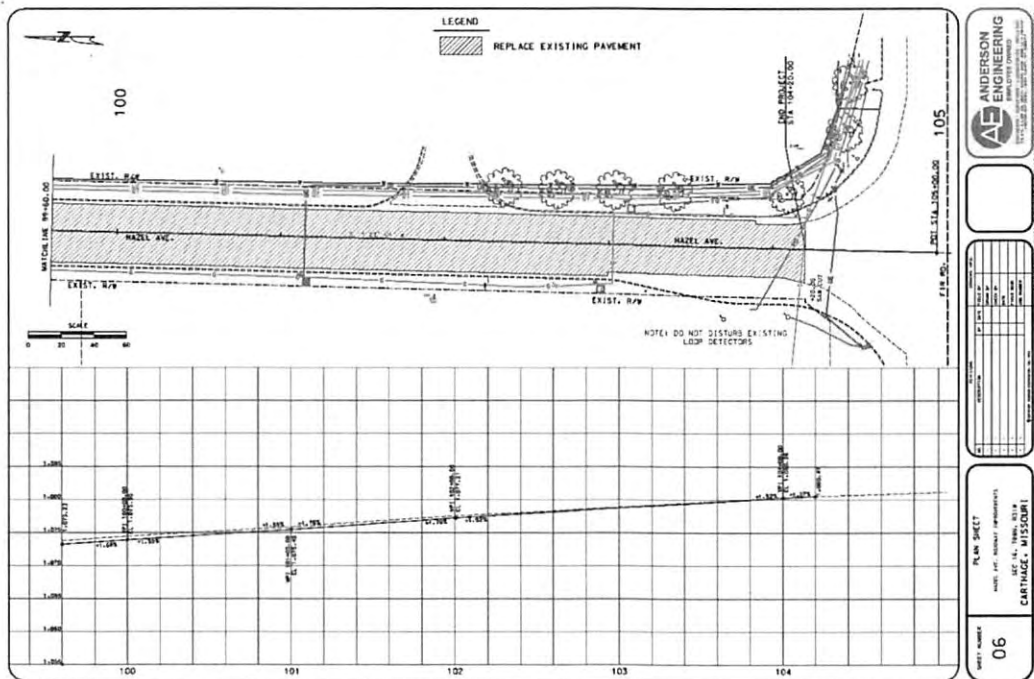


EXHIBIT A-2

PHASE I IMPROVEMENTS ESTIMATE

Commented [1]: To be added

Hazel Street Improvements Phase 1 - Fir Road to George Phelps Blvd. ANDERSON  ENGINEERING EMPLOYEES OWNED Updated with SH&A 7/28/2020					
Description	Accur.	Unit	Quantity	Unit Cost	Extended Total
Removal of Improvements	1	L.S.	1.0	\$ 1,000.00	\$ 1,000.00
Class A Excavation	1	C.Y.	0.0	\$ 15.00	\$ -
Embankment in place	1	C.Y.	520.0	\$ 18.00	\$ 9,360.00
Class 3 Excavation	1	C.Y.	225.5	\$ 18.00	\$ 4,058.17
Linear Grading Class 1	0.1	STA	14.3	\$ 1,200.00	\$ 17,160.00
Type 5 Aggregate Base (7.5" thick)	1	S.Y.	5746.0	\$ 8.00	\$ 45,968.00
BITUMINOUS PAVEMENT MIXTURE PG64-22 (BASE), 2-in Depth	0.1	Tons	610.0	\$ 60.00	\$ 36,600.00
ASPHALTIC CONCRETE MIXTURE PG 76-22 (SP125BSM MIX), 2-in Depth	0.1	Tons	616.9	\$ 85.00	\$ 52,436.50
Tack Coat (0.10 gal/sy)	1	Gal.	283.0	\$ 3.00	\$ 849.00
Pipe Collar, Type A	1	Each	1.0	\$ 1,000.00	\$ 1,000.00
Concrete Curb & Gutter (2.5', 6" Carthage Standard)	1	L.F.	286.0	\$ 35.00	\$ 10,010.00
Subgrade Compaction (6" Depth) (Pavement Repair)	1	S.Y.	5746.0	\$ 4.00	\$ 22,984.00
Full Depth Pavement Repair Saw Cut	1	L.F.	68.0	\$ 2.00	\$ 136.00
Curb Inlet (4' x 8' precast box)	1	Each	2.0	\$ 3,500.00	\$ 7,000.00
Traffic Control	1	L.S.	1.0	\$ 10,000.00	\$ 10,000.00
Mobilization (5%)	1	L.S.	1.0	\$ 20,000.00	\$ 20,000.00
Preformed Thermoplastic Pavement Marking, Left/Right Arrow	1	Each	5.0	\$ 250.00	\$ 1,250.00
4" White Standard Waterborne Pavement Marking Paint, Type P Beads	1	L.F.	3057.0	\$ 1.00	\$ 3,057.00
4" Yellow Standard Waterborne Pavement Marking Paint, Type P Beads	1	L.F.	3610.0	\$ 1.00	\$ 3,610.00
Cold Milling (> 3")	1	S.Y.	5415.0	\$ 7.00	\$ 37,905.00
18 In. Pipe Group A (18" RCP)	1	L.F.	327.0	\$ 60.00	\$ 19,620.00
Seeding - Cool Season Mixtures	0.1	Acre	0.1	\$ 7,500.00	\$ 750.00
Erosion Control	1	L.S.	1.0	\$ 5,000.00	\$ 5,000.00
Relocation of Utilities	1	L.S.	1.0	\$ 10,000.00	\$ 10,000.00
Estimated Construction Cost					\$ 319,753.67
Contingencies (15%)					\$ 47,963.05
Engineering (13%)					\$ 47,803.17
Construction Administration & Inspection (8%)					\$ 29,417.34
Total Estimated Project Cost					\$ 444,937.24

Summary Report	
Title	compareDocs Comparison Results
Date & Time	3/19/2021 1:04:00 PM
Comparison Time	1.24 seconds
compareDocs version	v5.0.104.1

Sources	
Original Document	[#4820-3072-8373] [v15] Memorandum of Understanding with City of Carthage, MO - Schreiber Foods - CARTHAGE, MO.docx
Modified Document	[#4820-3072-8373] [v16] Memorandum of Understanding with City of Carthage, MO - Schreiber Foods - CARTHAGE, MO.docx

Comparison Statistics	
Insertions	1
Deletions	2
Changes	1
Moves	0
Font Changes	0
Paragraph Style Changes	0
Character Style Changes	0
TOTAL CHANGES	4

Word Rendering Set Markup Options	
Name	Standard
<u>Insertions</u>	
Deletions	
<u>Moves</u> / Moves	
Font Changes	
Paragraph Style Changes	
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Detail Report	Word	Separate (View Only)
Document View	Word	Print

COUNCIL BILL NO. 21-02

ORDINANCE NO. _____

An Ordinance to enter into a Memorandum of Understanding Agreement with Hazel 71, LLC, a Delaware limited liability company ("Hazel 71"), for the completion of certain improvements to Hazel Street and cost share of a roundabout at Fir Road and Dr Russell Smith Way in the City of 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 enter into a Memorandum of Understanding with Hazel 71 detailing the agreement to improve Hazel Street as well as the cost share of the roundabout at Fir Road and Dr. Russell Smith Way, a copy of which is attached hereto and incorporated herein as if set out in full.

SECTION II: Section 23-172 (d) of the Code of the City of Carthage shall be amended to add Hazel Street, George E Phelps to Fir Road (HH Hwy) as a designated truck route.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Public Works Committee

**MEMORANDUM OF UNDERSTANDING
BY AND BETWEEN
HAZEL 71, LLC, A DELAWARE LIMITED LIABILITY COMPANY,
AND THE CITY OF CARTHAGE, MISSOURI,
A MUNICIPAL CORPORATION**

THIS MEMORANDUM OF UNDERSTANDING (this "MOU") is agreed to and entered into this ____ day of _____, 2021 (the "**Effective Date**"), by and between Hazel 71, LLC, a Delaware limited liability company, hereinafter referred to as "**Developer**", and the City of Carthage, a Municipal Corporation, hereinafter referred to as "**City**".

WHEREAS, Schreiber Foods, Inc., a Wisconsin corporation ("**Schreiber**"), desires to expand its operations in the City of Carthage, and has contracted or anticipates contracting with Developer to develop, construct and lease to Schreiber a new facility with an approximately 420,000 rentable square foot manufacturing and distribution building (the "**New Facility**") on property adjacent to Hazel Avenue near Myers Park; and

WHEREAS, transportation improvements have been deemed necessary from West E. Phelps Blvd. South to Missouri State Highway HH (a.k.a. West Fir Road) to accommodate the additional shipments to and from such New Facility on Hazel Avenue; and

WHEREAS, Hazel Avenue currently is not designated as a Truck Route, but as a result of this Memorandum of Understanding and associated improvements contained herein, Hazel Avenue from West George E. Phelps Blvd. to HH Highway will be designated as a Truck Route by the City Council; and

WHEREAS, a Transportation Improvement project has been approved by the Missouri Highways and Transportation Commission and the City of Carthage through the Commission's Cost Share Program consisting of the construction of a roundabout at the intersection of Missouri State Highway HH (West Fir Road) and the I-49 West Outer Road (Dr. Russell Smith Way), which proposed project would tie the ramps into a roundabout intersection (collectively, the "**Roundabout Improvements**") at a total estimated project cost of two million six hundred eighty-seven thousand six hundred eighty-two and no/100 dollars (\$2,687,682.00); and

WHEREAS, the City and Developer have reached an agreement for cost sharing of the projects to be completed to accommodate the operations at this New Facility.

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

1. **Hazel Avenue Improvements.**
 - a. The City will make the following improvements to Hazel Avenue from West George E. Phelps Boulevard South to Missouri State Highway HH (West Fir Road), all as more particularly described on Exhibit A-1 attached hereto (collectively, the "**Phase I Improvements**");

- i. Widening from West George E. Phelps Boulevard South to Missouri State Highway HH (West Fir Road) approximately 420' to existing curb and gutter on west side of Hazel Avenue.
 - ii. Overlay from West George E. Phelps Boulevard South to Missouri State Highway HH (West Fir Road).
 - iii. Stormwater, utility relocations.
 - iv. Curb and Gutter installation.
- b. The Phase I Improvements are estimated to cost four hundred forty-four thousand nine hundred thirty-eight and 39/100 dollars (\$444,938.39) (as shown on Exhibit A-2 attached hereto). The City will pay for the Phase I Improvements with its own funds without reimbursement from Developer, its assignee, Schreiber, or any other third party. Moreover, if the City, in its sole discretion, elects to perform additional improvements to Hazel Avenue at any point thereof, the City acknowledges that neither Developer, Schreiber, nor any other third party has any obligation to pay for or reimburse the City for any portion of the cost of such additional improvements.
- c. The City shall complete the Phase I Improvements no later than six months from the date of annexation of the site of the New Facility into the City's boundaries.
- d. The City acknowledges that development of the New Facility will require the Developer to connect the New Facility to the water supply on the opposite of Hazel Avenue, and the City agrees that the Developer may accomplish such connection by cutting through the Hazel Avenue pavement, rather than boring underneath the Hazel Avenue pavement. The City will coordinate with the Developer on the timing of the Phase I Improvements to allow the Developer to make this connection and cut through the existing Hazel Avenue Surface before the Phase I Improvements are performed to the relevant portions of Hazel Avenue.
- e. The City's construction of the Phase I Improvements shall not interfere with the Developer's development or construction of the New Facility.

2. Roundabout Improvements.

- a. The City shall complete the Roundabout Improvements at its own initial expense, subject to the reimbursement in Section 2.b below.
- b. Schreiber will reimburse the City six hundred fifty-five thousand and no/100 dollars (\$655,000.00) (the "**Roundabout Reimbursement Amount**") as an agreed to amount to be used to offset the City's project cost of the Roundabout Improvements at the intersection of Missouri State Highway HH (West Fir Road) and the I-49 West Outer Road (Dr. Russell Smith Way). The City shall be solely responsible for all costs to complete the Roundabout Improvements in excess of the Roundabout Reimbursement Amount without further reimbursement from Developer, Schreiber, or any other third party.
- c. Developer shall pay the Roundabout Reimbursement Amount to the City as follows:
 - i. Payments shall be made in three (3) equal installment payments of two hundred eighteen thousand three hundred thirty-three and 33/100 dollars (\$218,333.33).
 - ii. Such installments shall be due and payable as follows:
 - 1. The first installment shall be due and payable on or before July 1, 2021;
 - 2. The second installment shall be due and payable within twelve (12) months of the First Installment Due Date, and

3. The third installment shall be due and payable within thirty (30) days following the City's substantial completion of the Roundabout Improvements and the City's delivery of notice thereof to Developer.

Notwithstanding the foregoing, in no event shall any installment payment from Developer become due or payable prior to the City's substantial completion of the Phase I Improvements.

3. **Access to New Facility.** The City hereby confirms that there shall be no restriction or reduction on access, traffic volume or traffic type to and from the New Facility regardless of whether the Phase I Improvements or the Roundabout Improvements are complete. For clarification (and without limiting the foregoing), there shall be no restriction or reduction on access, traffic volume or traffic type even during the period of time before and during the construction of the Phase I Improvements and the Roundabout Improvements. Additionally, at all times during the construction of the Phase I Improvements, the City shall maintain continuous vehicular access to the New Facility site via a commercially reasonable route.
4. **Assignment.** The City acknowledges that Developer may sell its interest in the New Facility or the real property upon which the New Facility is or will be located, and Developer may assign all of its rights and obligations hereunder to any successor to Developer's interest in the New Facility or such property, provided, however, Schreiber will remain an intended third party beneficiary of this MOU and entitled to enforce the provisions hereof so long as Schreiber continues to lease or occupy the New Facility.
5. **Amendments.** Any change in this MOU, whether by modification or supplementation, must be accomplished by a formal amendment signed and approved by the duly authorized representatives of the City, Developer and Schreiber.

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the day and year first above written.

DEVELOPER:
HAZEL 71, LLC,
a Delaware limited liability company

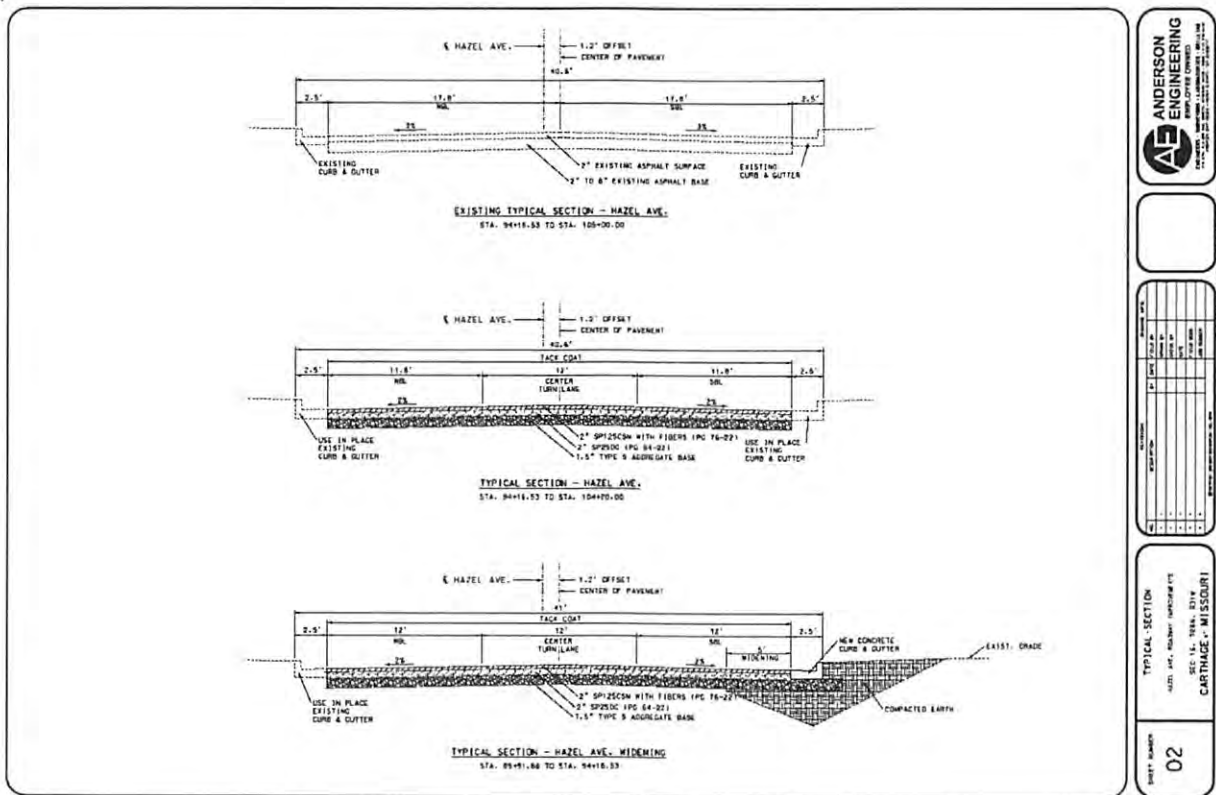
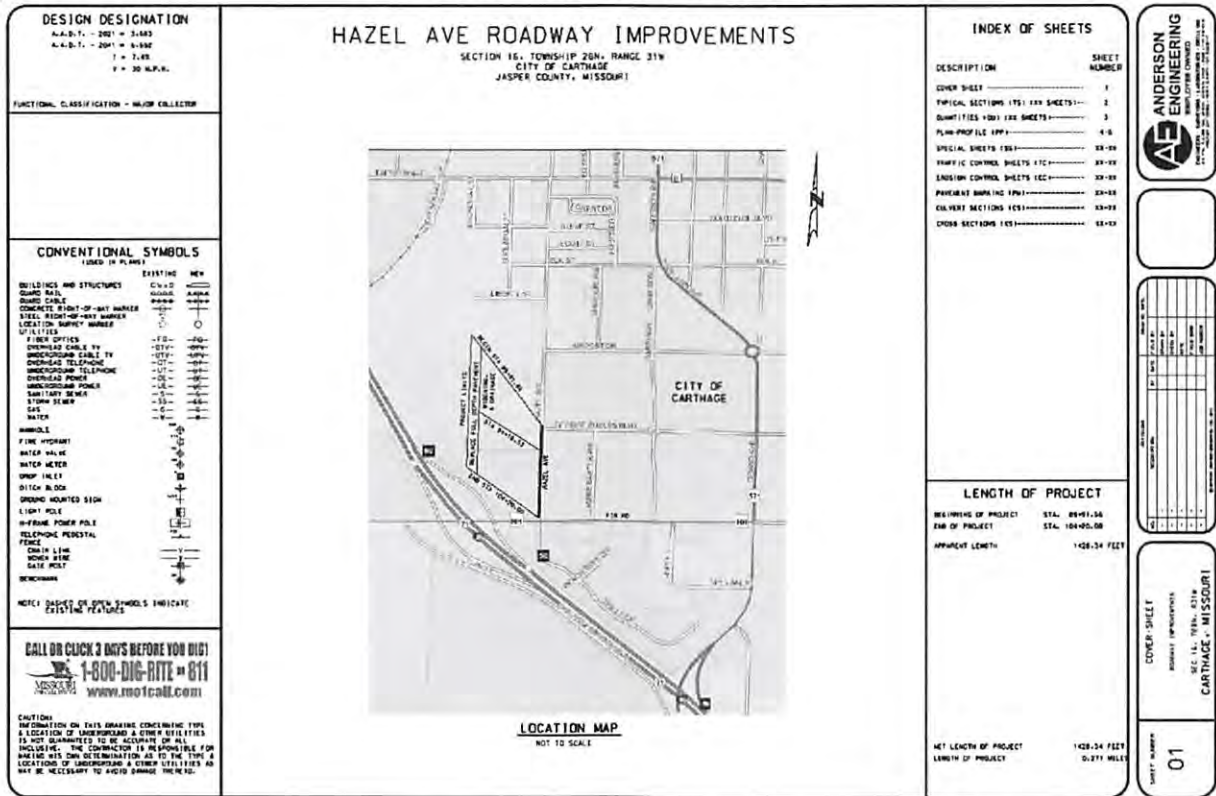
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CITY OF CARTHAGE, MISSOURI

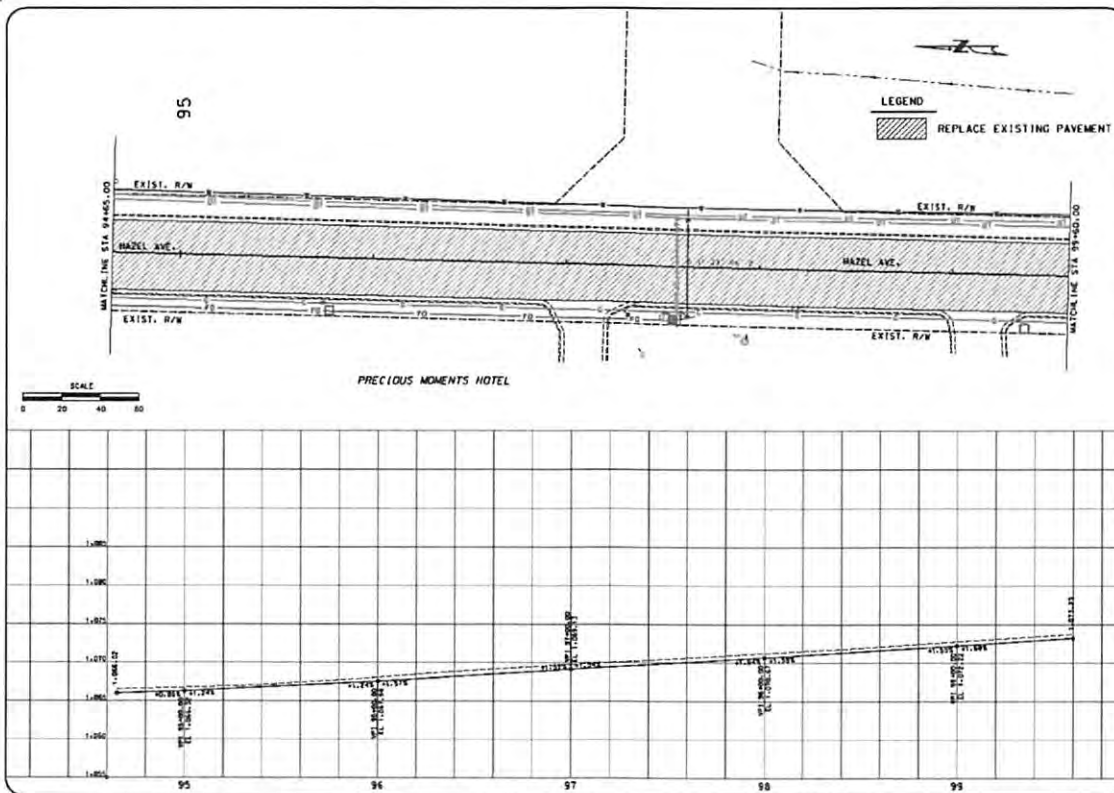
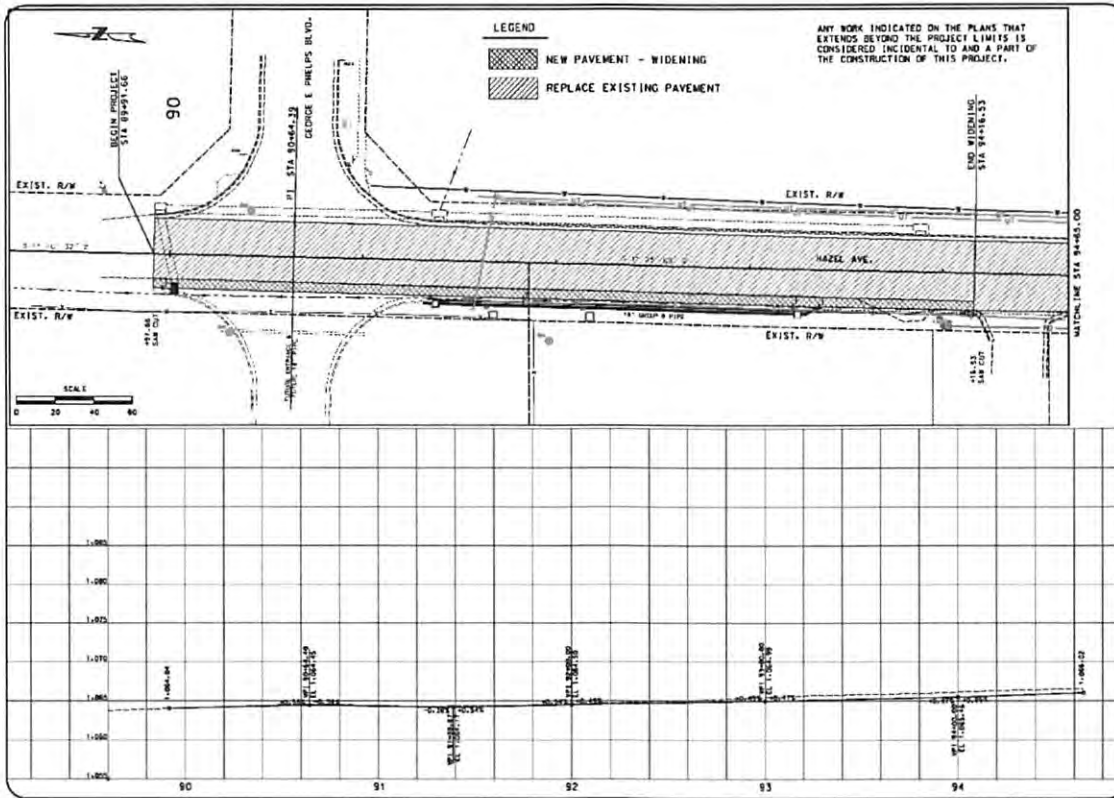
By: _____
Name: _____
Its: _____

By: _____
Dan Rife, Mayor

Exhibit A-1

PHASE I IMPROVEMENTS





NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	10/14/14	AE	AE
2	FOR CONSTRUCTION	10/14/14	AE	AE

PLAN SHEET
HAZEL AVE. WIDENING IMPROVEMENTS
SECTION 14 - 100th, 87th & 84th
CARTHAGE, MISSOURI

SHEET NUMBER
04



NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	10/14/14	AE	AE
2	FOR CONSTRUCTION	10/14/14	AE	AE

PLAN SHEET
HAZEL AVE. WIDENING IMPROVEMENTS
SECTION 14 - 100th, 87th & 84th
CARTHAGE, MISSOURI

SHEET NUMBER
05

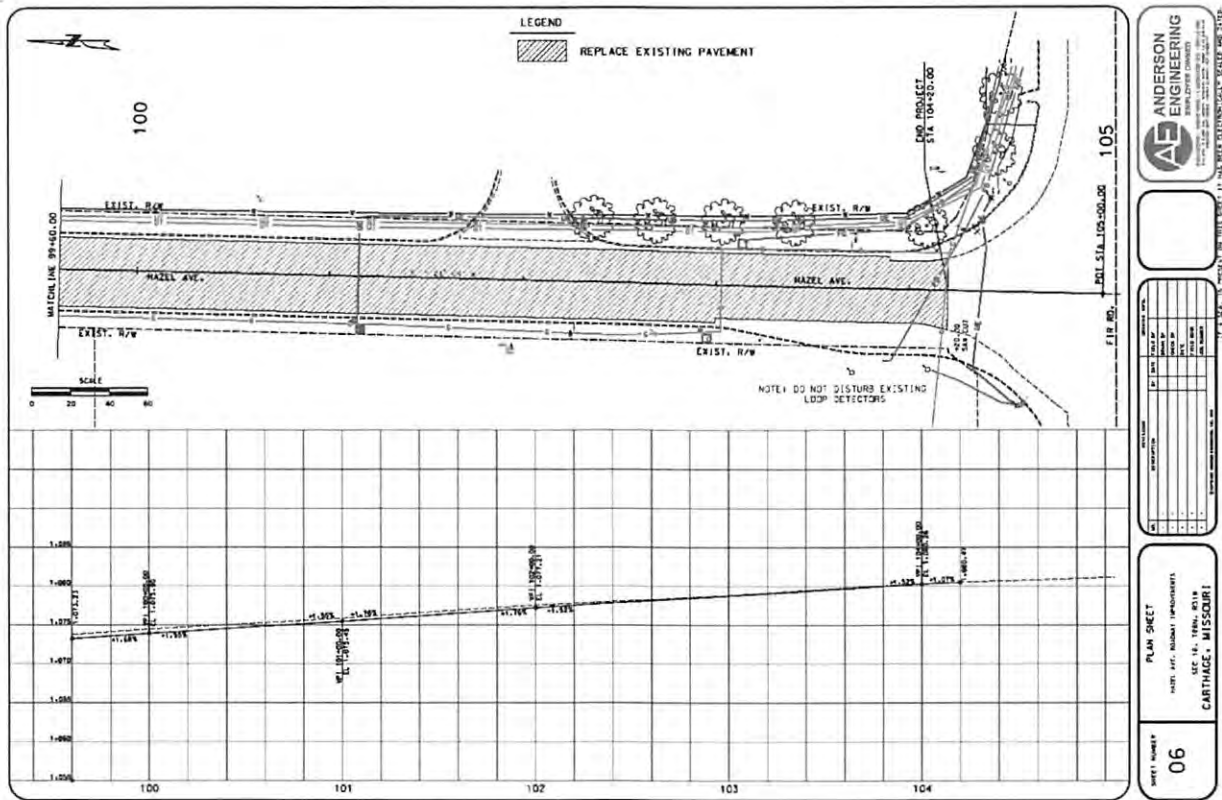


EXHIBIT A-2
PHASE I IMPROVEMENTS ESTIMATE



Hazel Street Improvements
Phase 1 - Fir Road to George Phelps Blvd.

Updated with SMA

7/28/2020

Description	Accur.	Unit	Quantity	Unit Cost	Extended Total
Removal of Improvements	1	L.S.	1.0	\$ 1,000.00	\$ 1,000.00
Class A Excavation	1	C.Y.	0.0	\$ 15.00	\$ -
Embankment in place	1	C.Y.	520.0	\$ 18.00	\$ 9,360.00
Class 3 Excavation	1	C.Y.	225.5	\$ 18.00	\$ 4,058.17
Linear Grading Class 1	0.1	STA	14.3	\$ 1,200.00	\$ 17,160.00
Type 5 Aggregate Base (7.5" thick)	1	S.Y.	5746.0	\$ 8.00	\$ 45,968.00
BITUMINOUS PAVEMENT MIXTURE PG64-22 (BASE), 2-in Depth	0.1	Tons	610.0	\$ 60.00	\$ 36,600.00
ASPHALTIC CONCRETE MIXTURE PG 76-22 (SP125BSM MIX), 2-in Depth	0.1	Tons	616.9	\$ 85.00	\$ 52,436.50
Tack Coat (0.10 gal/sy)	1	Gal.	283.0	\$ 3.00	\$ 849.00
Pipe Collar, Type A	1	Each	1.0	\$ 1,000.00	\$ 1,000.00
Concrete Curb & Gutter (2.5', 6" Carthage Standard)	1	L.F.	286.0	\$ 35.00	\$ 10,010.00
Subgrade Compaction (6" Depth) (Pavement Repair)	1	S.Y.	5746.0	\$ 4.00	\$ 22,984.00
Full Depth Pavement Repair Saw Cut	1	L.F.	68.0	\$ 2.00	\$ 136.00
Curb Inlet (4' x 8' precast box)	1	Each	2.0	\$ 3,500.00	\$ 7,000.00
Traffic Control	1	L.S.	1.0	\$ 10,000.00	\$ 10,000.00
Mobilization (5%)	1	L.S.	1.0	\$ 20,000.00	\$ 20,000.00
Preformed Thermoplastic Pavement Marking, Left/Right Arrow	1	Each	5.0	\$ 250.00	\$ 1,250.00
4" White Standard Waterborne Pavement Marking Paint, Type P Beads	1	L.F.	3057.0	\$ 1.00	\$ 3,057.00
4" Yellow Standard Waterborne Pavement Marking Paint, Type P Beads	1	L.F.	3610.0	\$ 1.00	\$ 3,610.00
Cold Milling (> 3")	1	S.Y.	5415.0	\$ 7.00	\$ 37,905.00
18 In. Pipe Group A (18" RCP)	1	L.F.	327.0	\$ 60.00	\$ 19,620.00
Seeding - Cool Season Mixtures	0.1	Acre	0.1	\$ 7,500.00	\$ 750.00
Erosion Control	1	L.S.	1.0	\$ 5,000.00	\$ 5,000.00
Relocation of Utilities	1	L.S.	1.0	\$ 10,000.00	\$ 10,000.00

Estimated Construction Cost					\$ 319,753.67
Contingencies (15%)					\$ 47,963.05
Engineering (13%)					\$ 47,803.17
Construction Administration & Inspection (8%)					\$ 29,417.34
Total Estimated Project Cost					\$ 444,937.24

Hazel Street Improvements
Phase 1 - Fir Road to George Phelps Blvd.

Updated with SMA

7/28/2020

Description	Accur.	Unit	Quantity	Unit Cost	Extended Total
Removal of Improvements	1	L.S.	1.0	\$ 1,000.00	\$ 1,000.00
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Full Depth Pavement Repair Saw Cut	1	L.F.	68.0	\$ 2.00	\$ 136.00
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Traffic Control	1	L.S.	1.0	\$ 10,000.00	\$ 10,000.00
Mobilization (5%)	1	L.S.	1.0	\$ 20,000.00	\$ 20,000.00
Preformed Thermoplastic Pavement Marking, Left/Right Arrow	1	Each	5.0	\$ 250.00	\$ 1,250.00
4" White Standard Waterborne Pavement Marking Paint, Type P Beads	1	L.F.	3057.0	\$ 1.00	\$ 3,057.00
4" Yellow Standard Waterborne Pavement Marking Paint, Type P Beads	1	L.F.	3610.0	\$ 1.00	\$ 3,610.00
Cold Milling (> 3")	1	S.Y.	5415.0	\$ 7.00	\$ 37,905.00
18 In. Pipe Group A (18" RCP)	1	L.F.	327.0	\$ 60.00	\$ 19,620.00
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Estimated Construction Cost					\$ 319,753.67
Contingencies (15%)					\$ 47,963.05
Engineering (13%)					\$ 47,803.17
Construction Administration & Inspection (8%)					\$ 29,417.34
Total Estimated Project Cost					\$ 444,937.24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARTHAGE, MISSOURI ACKNOWLEDGING THE TAX ABATEMENT GRANTED BY THE COUNTY COMMISSION OF JASPER COUNTY, MISSOURI FOR A PROJECT LOCATED IN THE CARTHAGE/JASPER COUNTY ENHANCED ENTERPRISE ZONE

WHEREAS, Jasper County, Missouri (the "County") and the City of Carthage, Missouri (the "City") created the Carthage-Jasper County Enhanced Enterprise Zone (the "Zone") pursuant to Sections 135.950 to 135.973, inclusive, of the Revised Statutes of Missouri, as amended (the "EEZ Act"); and

WHEREAS, Schreiber Foods, Incorporated, a Wisconsin corporation (the "Company"), and Hazel 49, LLC, (the "Developer") as landlord and developer, have proposed to invest capital for the construction of new warehouse space for the storage and handling of raw materials and ingredients used in the production process for finished goods (the "Project") within a portion of the Zone located within the County; and

WHEREAS, in its Notice of Intent requesting tax abatement under the EEZ Act, the Company represented that it expects to invest, in conjunction with the Developer, approximately \$52,380,815 in the Project, with \$46,180,815 expected to be spent on the construction or improvement of buildings qualifying for tax abatement under the EEZ Act, with the balance of the improvements being spent on acquisition of land, equipment, vehicles, information technology and other tenant improvements, and expects to create 16 new full-time jobs with an average hourly wage of approximately \$26.51; and

WHEREAS, based on the foregoing, the City understands that the County intends to grant tax abatement, as provided in the EEZ Act, to the Developer for the Project to be leased to the Company to incentivize the construction of the Project within the Zone so as to create jobs and foster the development of property within the Zone; and

WHEREAS, the City desires to acknowledge the tax abatement granted by the County under the EEZ Act and further desires to express its intent to accept the tax abatement, as applied to general ad valorem taxes imposed by the City, if the Project is annexed into the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARTHAGE, MISSOURI, AS FOLLOWS:

Section 1. Enhanced Enterprise Zone Tax Abatement. Subject to the provisions of this Ordinance and the requirements of the EEZ Act, the City acknowledges, recognizes and expresses its intent to accept the abatement from general ad valorem real property taxes imposed by the City as described in the Performance Agreement (the "Agreement") to be signed among the County, the Developer and the Company.

Section 2. Execution of Agreement. The Mayor is hereby authorized to execute such documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, for and on behalf of and as the act and deed of the City. The City Clerk is hereby authorized to attest to and affix the seal of the City to such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. Further Authority. The officers of the City, including the Mayor and City Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in full force immediately after its passage by the City Council and approval by the Mayor.

PASSED and **APPROVED** by the City Council and the Mayor of the City of Carthage, Missouri, this ____ day of _____, 2021.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Enhanced Enterprise Zoning Board

ENHANCED ENTERPRISE ZONE BOARD

Monday, January 18, 2021

10:00 A.M.

VIA <https://global.gotomeeting.com/join/144056573>

-- AGENDA--

OLD BUSINESS

NEW BUSINESS

1. Consider and discuss a Resolution recommending the County Commission of Jasper County approve an order, and the Carthage City Council approve an ordinance, authorizing 100% ad valorem tax abatement for four (4) years and 75% ad valorem tax abatement for the following six (6) years on improvements to the real property located at 2467 Hazel Street associated with the development of manufacturing facilities (Schreiber Foods, Inc. and Hazel 49 LLC.).

ADJOURNMENT

TO: CARTHAGE/JASPER COUNTY ENHANCED ENTERPRISE ZONE BOARD

FROM: SID DOUGLAS AND SARAH SMITH, GILMORE & BELL, P.C.

**RE: RESOLUTION RECOMMENDING TAX ABATEMENT FOR REAL PROPERTY
IN THE ENHANCED ENTERPRISE ZONE**

EXECUTIVE SUMMARY:

This Resolution recommends that the County Commission of Jasper County approve an order, and the Carthage City Council approve an ordinance, authorizing 100% ad valorem tax abatement for four (4) years and 75% ad valorem tax abatement for the following six (6) years on improvements to the real property located at 2467 Hazel Street associated with the development of manufacturing facilities (the "Project").

BACKGROUND:

Potential Redeveloper: Schreiber Foods, Inc. and Hazel 49, LLC.

The City Ordinance governing the granting of tax abatement in the Carthage/Jasper County Enhanced Enterprise Zone provides for tax abatement upon the recommendation of the Enhanced Enterprise Zone Board and an ordinance by the City Council or an order by the County Commission of Jasper County.

Hazel 49, LLC (Developer), wishes to construct manufacturing facilities to provide for the investment of capital for new warehouse space for the storage and handling of raw materials and ingredients to be used in the production process for finished goods to be leased by Schreiber Foods, Inc. (Company). The Developer and Company expect to invest more than \$45,000,000 for building improvements. Additionally, the Company expects and commits to create 16 new jobs providing for wages that equals or exceeds 120% of the county average wage within twelve (12) months of completion of the project. The Company expects the average wage of the new jobs to be \$26.51 an hour, which is 136% of the Jasper County Average Wage.

REQUESTED ACTION:

Recommend to the County Commission of Jasper County and the Carthage City Council that the property to be developed for the Project be granted four (4) years of 100% ad valorem tax abatement and a subsequent six (6) years of 75% ad valorem tax abatement on improvements associated with the development of manufacturing facilities with the creation of 16 new jobs with wages at least 120% of the County Average Wage according to the Enhanced Enterprise Zone Tax Abatement Matrix.

NOW, THEREFORE, be it resolved by the Carthage/Jasper County Enhanced Enterprise Zone Board as follows:

1. The Carthage/Jasper County Enhanced Enterprise Zone Board (the "EEZ Board") hereby recommends to the County Commission of Jasper County and the Carthage City Council that the ad valorem taxes on improvements to the real property for the Project be abated for a period of four (4) years at 100%, followed by a period of six (6) years at 75%, conditioned upon the creation of 16 jobs paying wages in excess of 120% of the County Average Wage according to the Enhanced Enterprise Zone Tax Abatement Matrix.
2. The Executive Director and other officers and staff members of the EEZ Board are hereby authorized to and directed to take such other actions as may be necessary and proper to carry out the intent of this Resolution.

ADOPTED THIS _____ day of _____, 2021

CARTHAGE/JASPER COUNTY
ENHANCED ENTERPRISE ZONE BOARD

By: _____
Title: Chair

**Jasper County, Missouri
City of Carthage, Missouri
Carthage Jasper County Enhanced Enterprise Zone
(Schreiber Foods)**

**COST BENEFIT ANALYSIS
PLAN FOR INDUSTRIAL DEVELOPMENT PROJECT**

Table of Contents

Project Assumptions	1
Summary of Cost Benefit Analysis	2
Projected Tax Revenues Without Abatement	3
Projected Tax Revenues With Abatement	4
Projected Tax Abatement	5

This information is provided based on the factual information and assumptions provided to Gilmore & Bell, P.C. by a party to or a representative of a party to the proposed transaction. This information is intended to provide factual information only and is provided in conjunction with our legal representation. It is not intended as financial advice or a financial recommendation to any party. Gilmore & Bell, P.C. is not a financial advisor or a "municipal advisor" as defined in the Securities Exchange Act of 1934, as amended.

Project Assumptions

♦ Initial year taxes assessed	2022
♦ Investment in real property improvements	\$ 46,180,815
♦ Bi-annual growth rate of appraised value of real property	2.0%
♦ Assessed value as a percentage of appraised value (real)	32.0%
♦ Assessed value of real property	\$ 14,777,861
♦ Terms of abatement:	
Real property	
Years 1 to 4	100%
Years 6 to 10	75%

Summary of Cost Benefit Analysis

Taxing Jurisdiction	Tax Rate	Tax Revenue for Real Property Without Abatement	Tax Revenue for Real Property With Abatement	Value of Abatement
State of Missouri	0.0300	\$ 46,604	\$ 7,129	\$ 39,476
Jasper County	0.1061	164,823	25,211	139,612
Dev. Disability Resource Board	0.0870	135,152	20,673	114,479
Mental Health	0.0870	135,152	20,673	114,479
Carthage R-9 School District	3.9800	6,182,821	945,724	5,237,096
Carthage Road District	0.2431	377,649	57,765	319,884
City of Carthage	0.7614	1,182,814	180,923	1,001,891
Surtax	1.0200	1,584,542	242,372	1,342,170
	6.3146	\$ 9,809,558	\$ 1,500,470	\$ 8,309,088

**Projected Tax Revenues Without Abatement
(Real Property)**

Estimated Assessed Value of Real Property		\$14,777,861	\$15,073,418	\$15,073,418	\$15,374,886	\$15,374,886	\$15,682,384	\$15,682,384	\$15,996,032	\$15,996,032	\$16,315,952	
Taxing Jurisdiction	Tax Rate per \$100	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	Total
State of Missouri	0.0300	\$ 4,433	\$ 4,522	\$ 4,522	\$ 4,612	\$ 4,612	\$ 4,705	\$ 4,705	\$ 4,799	\$ 4,799	\$ 4,895	\$ 46,604
Jasper County	0.1061	15,679	15,993	15,993	16,313	16,313	16,639	16,639	16,972	16,972	17,311	164,823
Dev. Disability Resource Board	0.0870	12,857	13,114	13,114	13,376	13,376	13,644	13,644	13,917	13,917	14,195	135,152
Mental Health	0.0870	12,857	13,114	13,114	13,376	13,376	13,644	13,644	13,917	13,917	14,195	135,152
Carthage R-9 School District	3.9800	588,159	599,922	599,922	611,920	611,920	624,159	624,159	636,642	636,642	649,375	6,182,821
Carthage Road District	0.2431	35,925	36,643	36,643	37,376	37,376	38,124	38,124	38,886	38,886	39,664	377,649
City of Carthage	0.7614	112,519	114,769	114,769	117,064	117,064	119,406	119,406	121,794	121,794	124,230	1,182,814
Surtax	1.0200	150,734	153,749	153,749	156,824	156,824	159,960	159,960	163,160	163,160	166,423	1,584,542
	6.3146	\$ 933,163	\$ 951,826	\$ 951,826	\$ 970,863	\$ 970,863	\$ 990,280	\$ 990,280	\$ 1,010,085	\$ 1,010,085	\$ 1,030,287	\$9,809,558

**Projected PILOT Amount
(Real Property)**

Estimated Assessed Value of Real Property		\$14,777,861	\$15,073,418	\$15,073,418	\$15,374,886	\$15,374,886	\$15,682,384	\$15,682,384	\$15,996,032	\$15,996,032	\$16,315,952	
Percent Taxes Assessed		0%	0%	0%	0%	25%	25%	25%	25%	25%	25%	
	Tax Rate per \$100	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	Total
State of Missouri	0.0300	\$ -	\$ -	\$ -	\$ -	\$ 1,153	\$ 1,176	\$ 1,176	\$ 1,200	\$ 1,200	\$ 1,224	\$ 7,129
Jasper County	0.1061	-	-	-	-	4,078	4,160	4,160	4,243	4,243	4,328	25,211
Dev. Disability Resource Board	0.0870	-	-	-	-	3,344	3,411	3,411	3,479	3,479	3,549	20,673
Mental Health	0.0870	-	-	-	-	3,344	3,411	3,411	3,479	3,479	3,549	20,673
Carthage R-9 School District	3.9800	-	-	-	-	152,980	156,040	156,040	159,161	159,161	162,344	945,724
Carthage Road District	0.2431	-	-	-	-	9,344	9,531	9,531	9,722	9,722	9,916	57,765
City of Carthage	0.7614	-	-	-	-	29,266	29,851	29,851	30,448	30,448	31,057	180,923
Surtax	1.0200	-	-	-	-	39,266	39,990	39,990	40,790	40,790	41,606	242,372
	6.3146	\$ -	\$ -	\$ -	\$ -	\$ 242,716	\$ 247,570	\$ 247,570	\$ 252,521	\$ 252,521	\$ 257,572	\$1,500,470

**Projected Tax Abatement
(Real Property)**

Estimated Assessed Value of Real Property	\$1,777,861	\$15,073,418	\$15,073,418	\$15,374,886	\$15,374,886	\$15,682,384	\$15,682,384	\$15,996,032	\$15,996,032	\$16,315,952		
Abatement Percentage	100%	100%	100%	100%	75%	75%	75%	75%	75%	75%		
	Tax Rate per											
Taxing Jurisdiction	\$100	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	Total
State of Missouri	0.0300	\$ 4,433	\$ 4,522	\$ 4,522	\$ 4,612	\$ 3,459	\$ 3,529	\$ 3,529	\$ 3,599	\$ 3,599	\$ 3,671	\$ 39,476
Jasper County	0.1061	15,679	15,993	15,993	16,313	12,235	12,479	12,479	12,729	12,729	12,983	139,612
Dev. Disability Resource Board	0.0870	12,857	13,114	13,114	13,376	10,032	10,233	10,233	10,437	10,437	10,646	114,479
Mental Health	0.0870	12,857	13,114	13,114	13,376	10,032	10,233	10,233	10,437	10,437	10,646	114,479
Carthage R-9 School District	3.9800	588,159	599,922	599,922	611,920	458,940	468,119	468,119	477,482	477,482	487,031	5,237,096
Carthage Road District	0.2431	35,925	36,643	36,643	37,376	28,032	28,593	28,593	29,165	29,165	29,748	319,884
City of Carthage	0.7614	112,519	114,769	114,769	117,064	87,798	89,554	89,554	91,345	91,345	93,172	1,001,891
Surtax	1.0200	150,734	153,749	153,749	156,824	117,618	119,970	119,970	122,370	122,370	124,817	1,342,170
	6.3146	\$ 933,163	\$ 951,826	\$ 951,826	\$ 970,863	\$ 728,147	\$ 742,710	\$ 742,710	\$ 757,564	\$ 757,564	\$ 772,715	\$8,309,088

COUNCIL BILL NO. 21-11

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ANNUAL OPERATING AND CAPITAL BUDGET OF THE CITY OF CARTHAGE FOR FISCAL YEAR 2020-2021 FOR SPECIFIED FUNDS (GENERAL, PUBLIC SAFETY GRANT, CIVIC ENHANCEMENT FUND, AND CAPITAL IMPROVEMENTS SALES TAX FUND).

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

SECTION I: The City of Carthage's 2020 – 2021 Annual Operating and Capital Budget for the **General Fund**, is hereby amended to reflect supplemental appropriations for:

- the **Police Department** to reflect a supplemental appropriation for an amount not to exceed \$10,000, to the Radio Maintenance line item for the contract for Radio services (not included in the 2021 budget) and an amount not to exceed \$40,000, for the Police Department (Capital Outlay line item) for the purchase and equipping of a Police Patrol Car, eliminated from the original 2021 budget; and
- the **CMA Department** (Professional Fees line item) not to exceed \$20,000 for the CVB/GRO Comprehensive Centralized Communication Services contract; and
- the **Parks & Recreation Department** is hereby amended to reflect a supplemental appropriation of an amount not to exceed \$4,500 for (Capital Outlay line item) for fencing replacement/repair for Rock Stadium due to vandalism; and
- the **Pool Department** to reflect a supplemental appropriation of an amount not to exceed \$10,000 to the Capital Outlay Line item for Pool repairs/improvements **to resolve a situation at the Municipal Pool regarding** specific effluent limitations, monitoring requirements, and permit conditions regarding the facility as specified by the Missouri Department of Natural Resources **from supplemental revenues received and budgeted, or** from the unallocated and undesignated fund balance.

SECTION II: The City of Carthage's 2020 – 2021 Annual Operating and Capital Budget for the **Public Safety Grant Fund**, is hereby amended to reflect supplemental appropriations for: –

- up to \$15,559 from Donation Revenues from Law Enforcement Sales Tax (LEST) to the Police Department to; **Miscellaneous Expenses** \$4,000, ODET fee \$4,000; **Capital Outlay** \$6,644, North Conference Room Furniture \$2,464, and Soft Interview Room Furniture \$4,180; **General Tools & Supplies** \$4,915, for One Radar Speed Detection Unit \$1,395, and Radio parts \$3,520; and
- \$10,000 from Donation Revenues from an anonymous donor to the Capital Outlay line item for up to \$10,000 for purchase of equipment for in-car repeaters associated with the City's radio system.

SECTION III: Civic Enhancement Fund; to reflect a supplemental appropriation not to exceed \$45,026 (Capital Outlay line item), from Supplemental Grant Revenues of \$45,026

received from the Kent and Mary Steadley Foundation for the Fire Department for purchase of Rescue Equipment for the Carthage Fire Department.

SECTION IV: Capital Improvements Sales Tax Fund; to reflect supplemental appropriations to:

- to reflect a supplemental appropriation (Professional Fees line item) not to exceed \$10,000, from supplemental Grant Revenues of \$8,000 from the Missouri Department of Transportation's Traffic Engineering Assistance Program (TEAP) and \$2,000 from the unallocated and undesignated fund balance to complete the Engineering Study for Intersection Improvements for the River & Fir St. Intersection; and
- a supplemental appropriation to the Casualty Insurance Activity line item for \$20,000 from supplemental (reimbursement) revenues of \$20,000 from Mid-West Risk (MPR) loss control credit program, for; the Police Department for \$6,107 (Miscellaneous line item) for reimbursement for eligible safety equipment purchases from the Mid-West Risk (MPR) loss control credit program; the Fire Department for \$6,060 (Miscellaneous line item) for reimbursement for eligible safety equipment purchases from the Mid-West Risk (MPR) loss control credit program; the Street Department for \$2,022 (Miscellaneous line item) for reimbursement for eligible safety equipment purchases from the Mid-West Risk (MPR) loss control credit program; and the Parks Department for \$5,810 (Miscellaneous line item) for reimbursement for eligible safety equipment purchases from the Mid-West Risk (MPR) loss control credit program.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

COUNCIL BILL NO. 21-12

ORDINANCE NO. _____

An ordinance annexing certain adjacent territory commonly known as 1699 West Fairview into the City of Carthage, Jasper County, Missouri as requested by Bill Wilson.

WHEREAS, a verified Petition signed by all the owners of the real estate hereinafter described requesting annexation of said territory into the City of Carthage, Missouri, was filed with the Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the present corporate limits of the City of Carthage; and

WHEREAS, a public hearing concerning the said matter was held at the City Hall, Carthage, Missouri, at 7:30 p.m. on _____; and

WHEREAS, notice of said public hearing was given by publication of notice thereof, in the Carthage Press; and

WHEREAS, at said public hearing all interested persons, corporations, or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, no written objections to the proposed annexation were filed with the Council of the City of Carthage within fourteen days after the public hearing; and

WHEREAS, the Council of the City of Carthage does find and determine that said annexation is reasonable and necessary to the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation.

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

SECTION I: Pursuant to the provisions of Section 71.012 RSMo., the following described real estate is hereby annexed into the City of Carthage, Missouri, to wit:

193' E & W X 272' N & S SE COR NE SW & E 18' SE SW & COM SE
COR NE 1/4 SW 1/4 W 193' TO POB W 30' N 261.23' N 89 DEG E 35' S
TO POB EX RD

SECTION II: The boundaries of the City of Carthage, Missouri are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits of the City.

SECTION III: The City Clerk of the City of Carthage is hereby ordered to cause three certified copies of this Ordinance to be filed with the Jasper County Clerk.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Public Works Committee

An Ordinance to amend Section 4-20 Vicious Dog, of the Carthage Code by replacing with 4-20 Dangerous Dogs, in the City of Carthage Missouri.

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

SECTION I: Section 4-20 of the Carthage Code is hereby repealed and replaced with the following Chapter 4 Section 20 Dangerous Dogs:

Sec 4-20 Dangerous Dogs

(A) Definitions as applied to Section 4-20:

- 1) Potentially dangerous dog means a dog that when unprovoked:
 - Has inflicted a bite on a human being or domestic animal or other animal protected under federal, state or local rules, either on public or private property; or
 - Has chased or approached a person upon a street or a public grounds in a menacing fashion or apparent attitude of attack, or
 - Is a dog with a known propensity, tendency, or disposition to attack without provocation, or
 - Has caused injury or otherwise threatened the safety of humans, domestic animals, or other animals protected under federal, state or local rules; or,
- 2) Dangerous dog means a dog that been declared a dangerous dog under this section and said declaration has become final.
- 3) Primary enclosure means any enclosed structure used to immediately restrict an animal to a limited amount of space, such as a room, pen, run, cage,
- 4) Secure enclosure to confine the dog means:
 - i) A securely confined indoor area of the owner's or keeper's premises, or
 - ii) a securely enclosed and locked pen, kennel or other exterior structure on the premises, suitable to prevent the entry of young children or human extremities; and,
 - iii) designed to prevent a dangerous dog from escaping; and,
 - iv) A pen, kennel or other structure having secure sides and a secure top, and providing adequate shelter from the elements for the dog; and,
 - v) If a pen, kennel or structure has no bottom secured to the sides, the sides are embedded not less than two feet into the ground; and,
 - vi) Doors, windows or other openings enclosed solely by wire or mesh screening shall not be considered a proper enclosure as defined in this subsection.
- 5) Provocation means taunting, teasing, knowingly causing undue pain, or unlawfully entering upon or into the property of the owner or keeper.

- 6) Owner, Keeper, Harboring means, one who provides feed or shelter to an animal for three (3) or more consecutive days, or a person who keeps an animal, or a person who professes to be owning, keeping or harboring an animal, or person providing temporary care and control of an animal no matter how brief.

(B) *Registration and licensure required.*

- 1) No person shall own, keep, harbor or allow to be upon any premises occupied by him or her or under his or her charge or control a dog or dangerous dog without first having obtained a certificate of registration and a license within 30 days of the date of declaration provided for by this section.
 - *Issuance of certificate of registration.* A certificate of registration for a and a dangerous dog shall be issued by the city upon a showing of compliance with all of the following:
 - *Secure Enclosure.* Placement of a proper enclosure on the owner's or keeper's property to confine the dog; and,
 - *Notice.* A conspicuous notice, which shall be at least two feet by three feet, posted at the place of confinement stating "Dangerous Dog," in at least two-inch block letters, so as to warn the public of the nature of the dog therein confined; and,
 - *Insurance.* For a dangerous dog, a surety bond issued by a surety company authorized to do business in the state in a sum of not less than \$100,000.00 payable to a person injured by the dog or a policy of liability insurance issued by an insurer authorized to do business in the state in an amount not less than \$100,000.00 insuring the owner or keeper for personal injuries inflicted by the dog; or, for a dangerous dog, a surety bond issued by a surety company authorized to do business in the state in a sum of not less than \$250,000.00 payable to a person injured by the dog or a policy of liability insurance issued by an insurer authorized to do business in the state in an amount not less than \$250,000.00 insuring the owner or keeper for personal injuries inflicted by the dog. An insurance policy issued to satisfy the insurance requirements of this section shall provide for written notice to the city within 30 days of cancellation, reduction of limits, or termination of coverage; and
 - *Microchip.* That a microchip has been placed into the dog by animal health and public safety for the purpose of registering such dog with animal health and public safety. The microchip shall contain the owner's, keeper's or harboring's animal health and animal control officer generated and assigned "dangerous dog registration number" and such other information as required pursuant to the rules and regulations of animal health and public safety. Animal health and public safety shall keep records of the microchip placement and of the registration number.
2. This section on registration does not apply when using a dog as a guard dog or when a commissioned officer is using a dog for law enforcement or when a dog is being held in quarantine pursuant to law by a licensed veterinarian,

(C) *Declaration.* The Animal Control Officer may declare an animal a dangerous dog if he/she has probable cause to believe that the animal falls within the definition set forth in this chapter.

1. *Probable cause to declare.* For the purposes of this section, probable cause includes:
 - A prior court conviction that indicates the dog has acted in a manner causing it to fall within the definition of a dangerous dog; or
 - Actions of the dog witnessed by any animal control officer or law enforcement officer; or

- A verified report that the animal previously has been found to be a dangerous dog or a dangerous dog by any animal control authority; or
 - Other substantial evidence admissible in a court of law.
 - *Service of declaration.* The declaration shall be in writing, and shall be served on the owner or keeper either by regular United States mail to the owner's, keeper's or harborer's last known address or by personal service.
2. *Contents of declaration.* The declaration shall state at least:
- A description of the animal; and,
 - The name and address of the owner, keeper or harborer of the animal, if known; if there is no last known address notice shall be posted at city hall and,
 - The whereabouts of the animal if it is not in the custody of the owner, keeper or harborer; and,
 - The facts upon which the declaration is based; and,
 - The availability of a hearing in case the person objects to the declaration, if a request is made in writing within five days of the date of receipt or posting of the declaration; and,
 - The restrictions placed on the animal as a result of the declaration; and
 - The penalties for violation of the restrictions, including the possibility of the destruction of the animal, and imprisonment or fining of the owner, keeper or harborer.
3. *Appeal of declaration.* The owner, keeper or harborer may, within five days of receipt of the declaration, file a written request for a hearing. The request must be sent to the Animal Control Officer. The appeal will be heard by the City Judge. Following a decision pursuant to this subsection, the owner, keeper or harborer shall be considered to have exhausted such owner's, keeper's or harborer's administrative appeal. If the City Judge finds that there is insufficient evidence to support the declaration, it shall be rescinded, and the restrictions imposed thereby annulled. If the City Judge, director or hearing officer finds sufficient evidence to support the declaration then it shall be affirmed.
- (D) *Licensure.* The owner, keeper or harborer of a dangerous dog shall obtain a license from the Animal Control Officer for any such dog.
- (E) *Licensure fees.* The owner, keeper or harborer shall pay the fee for a dangerous dog license in the amount set forth in this subsection. In addition, the owner, keeper or harborer of such dog shall pay an annual renewal fee for such license in the amount set forth in this subsection. Annual renewal of any license shall be conditioned on compliance with the requirements of this chapter. Animal Control Officer is authorized to pro rate the license fee for the remainder of the first year during which an animal becomes subject to the registration requirements of this subsection.
- (F) *Licensure information.* The owner, keeper or harborer of a dog that is subject to a dangerous dog license shall furnish the following information along with the appropriate license fee:
1. The animal's age, weight, coloring, breed, and any other special identifying characteristics; and
 2. Two 3" x 5" color photographs of the animal; and
 3. Proof of current rabies vaccination for the animal; and
 4. For dangerous dogs, a certification under penalty of perjury that the animal has not been previously found to be a dangerous dog; or, for dangerous dogs, a certification under penalty of perjury that the animal has not been removed from another jurisdiction to avoid any penalties arising from the animal's previous status.
 5. *Fee amounts.* The license fee for each dangerous dog to be licensed pursuant to this subsection is \$250.00. The annual renewal fee for each dangerous dog licensed pursuant to this subsection is \$50.00.

- (G) Violations, impoundment and exemptions for dangerous dogs.
1. Confinement and posting, violation. An owner, keeper or harbinger of a dangerous dog who fails to comply with the requirements of this subsection related to confinement in a proper enclosure or posting of warning notices shall be guilty of a violation of this chapter.
 2. Noncompliance violation, dangerous dog. An owner, keeper or harbinger of a potentially dangerous dog who fails to obtain a license and certificate of registration, or renewal, for such dog as required in this subsection shall be guilty of a violation of this chapter; provided, however, that no prosecution shall be commenced until five days have elapsed from the date such owner, keeper or harbinger is notified by Animal Control Officer that such license or renewal for such dangerous dog is required, or until any appeal has been completed, whichever is later.
- (H) Noncompliance violation, dangerous dog. An owner, keeper or harbinger of a dangerous dog who fails to obtain a license and certificate of registration, or renewal, for such dog as required in this subsection shall be guilty of a violation of this chapter.
- (I) Restraint and muzzling, violation. An owner, keeper or harbinger of a dangerous dog or a dangerous dog shall not allow such animal to be outside the proper enclosure, unless the dog is muzzled and restrained by a substantial leash not longer than 48 inches and under the physical control of a person 18 years of age or older who is capable of restraining such animal. The muzzle shall be constructed so that it will not cause injury to the dog or interfere with its vision or respiration. Such muzzle shall be constructed so that it will prevent the dog from biting any person or animal. Such dogs shall not be leashed or otherwise tied tethered to inanimate objects, such as trees, posts, buildings, mail boxes, and the like. Dogs subject to the provisions of this subsection shall wear a bright orange collar not less than two inches in width, at all times.
- (J) Age, violation. It is a violation of this chapter for any person under the age of 18 years to own, keep or harbor a potentially dangerous or dangerous dog within the city limits.
- (K) Number of dogs allowed, violation. It is a violation of this chapter for any person to own, keep or harbor more than one dangerous dog within the city limits.
- (L) Transfer of dogs, violation. It is a violation of this chapter to transfer ownership or possession of a dangerous dog or dangerous dog within the city limits unless the recipient has complied with the registration and licensing requirements of this subsection for such animal.
- (M) Failure to report injury, violation. It is a violation of this chapter for the owner, keeper or harbinger of any animal which is subject to the licensing requirements of this subsection to fail to report any bites or injuries suffered by any person or domestic animal as a result of an attack incident or other contact with such animal, regardless of the geographical location where such attack, incident or other contact occurs.
- (N) Noncompliance, impoundment. Any dangerous dog, for which a license and certificate of registration, or renewal, has not been obtained by its owner, keeper or harbinger pursuant to this subsection, is subject to being impounded by the Animal Control Officer. The owner, keeper or harbinger of any dangerous dog or dangerous dog so impounded shall be subject to any impoundment fees. Any potentially dangerous dog or dangerous dog which is impounded due to the failure of the owner, keeper or harbinger of such dog to obtain the required license or certificate of registration, and which remains impounded for a period of at least five days due to the failure of the owner, keeper or harbinger to obtain such license or certificate of registration, or renewal, may be destroyed in an expeditious and humane manner by Animal Control Officer.
- (O) Impoundment, immediate. The Animal Control Officer may immediately impound a dangerous dog or dangerous dog if:
1. The dog is not validly licensed or registered pursuant to this subsection; or
 2. The owner, keeper or harbinger does not secure or maintain the surety bond or liability insurance coverage required pursuant to this subsection; or
 3. The dog is not maintained in a proper enclosure; or

4. The dog is outside of the dwelling of the owner or keeper, or outside of the proper enclosure, and not muzzled and under proper physical restraint by the responsible person; or
 5. The dog is otherwise in violation of the licensure or registration provisions of this subsection.
- (P) Redemption and Euthanasia: The owner, keeper or harbinger of any dog immediately impounded pursuant to this subsection may redeem such dog from Animal Control Officer only upon proof of a valid license and registration pursuant to this subsection and payment of all applicable fees each day such dog has been in the control of the supervisor, provided however, that in the event the owner, keeper or harbinger has not redeemed such dog within five days of being notified of the immediate impound, the dog may be destroyed in an expeditious and humane manner.
- (Q) Impoundment for biting. If a dog classified as a dangerous dog bites a person or another domestic animal, such dog shall be immediately impounded by Animal Control Officer and destroyed in an expeditious and humane manner. Any such animal which is deemed uncatchable by the supervisor or an animal health and animal control officer, may be by such supervisor or official if no other reasonable means of capture is available or such animal continues to be a threat to persons or domestic animals. Reasonable means of capture may include the use of tranquilizers which, depending upon the animal's age, size, and physical condition, may cause death.
- (R) Exceptions. A dog shall not be declared dangerous if the threat, injury, or damage otherwise giving rise to action pursuant to this subsection was sustained, or a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner, keeper or harbinger of the dog or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.
- (S) Guard dogs. Any guard dog (for the purpose of this chapter, defined as a dog not owned by a governmental unit which dog is used to guard private commercial property or public property used in the city by virtue of such use is hereby declared to be subject to the license requirements of this chapter; must be vaccinated against rabies by a licensed veterinarian; must, if brought into the city from outside the state, be accompanied by the official health certificate required by the state, which certificate shall be exhibited upon the request of any city animal health and public safety or police officer; must be effectively physically restrained to the premises guarded; must be controllable by its keeper; and must not be used in a manner which, as determined by Animal Control Officer, endangers individuals not on the premises guarded. Any person operating a guard dog service in the city shall register such business with Animal Control Officer and shall list all premises to be guarded with Animal Control Officer before such service begins.
- (T) Biting dogs running at large. It shall be unlawful for any person owning, keeping or harboring any dog to permit, suffer or allow the dog to run at large within the city. If the dog causes injury to a human by biting or scratching while running at large, the owner, keeper or harbinger shall upon conviction be punished pursuant to this section.
- (U) Destruction of dogs in custody of Animal Control Officer. Any dog which is in the custody of Animal Control Officer, and which in the judgment of Animal Control Officer would constitute a menace to the health, safety or welfare of the public if released from such custody, may be humanely of the Animal Control Officer.
- (V) Penalty; authority to order destruction of dog. Any violation of this section shall be a minimum fine for violation of any provision of this section shall be \$250.00. Upon conviction of failure to comply with any provision of this section, in addition to the usual judgment on conviction, if it shall appear to the municipal judge that such dog is still living, he may order that such dog to be immediately removed from the city and direct Animal Control Officer to enforce that order, and the police department shall assist as may be required by Animal Control Officer.
- (W) Property Owners not in possession: Owner(s) of real property that is occupied by other person(s) who have knowledge of the existence of an unregistered dog that is not in

compliance with this Code shall be in violation of this code subject to a civil administrative fine.

1. This section does not apply to any person or company who has sought and executed a judicial eviction,
2. Any person or company in violation shall be issued a fine stated fine amount in the amount of \$250 per violation per month until remedied.
3. The notice of violation shall include.
 - i. The name and address of the owner, keeper or harbinger of the animal, if known; if the there is no last known address notice shall be posted at city hall and,
 - ii. The address of the property where the dog is kept; and,
 - iii. The facts upon which the violation is based; and,
 - iv. The date of a hearing if the person/company objects to the stated fine amount, and may appear in front of the City Judge to dispute the civil penalty; and,
4. The person or company may simply pay the stated fine or they may object and come to the court hearing.
5. To be found civilly liable for violating this section, the standard of proof is based upon "the preponderance of the evidence." This means that the evidence presented is convincing and more likely to be true than not true. Effectively, the standard is satisfied if there is a greater than 50 percent chance that the evidence is true.
6. If the person or company fails to appear for hearing then default shall issue.
7. The City may file a special tax lien for any fine and cost against the property.
8. Following a decision or default, pursuant to this sub-subsection, the owner of the property shall be considered to have exhausted such owner's administrative process.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Public Safety

***NEW
BUSINESS***

COUNCIL BILL NO. 21-15

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to enter into a contract with Hunter Chase & Associates of Springfield, in the amount of \$385,528.00 for Phase 4 of the sidewalk improvements, in the City of 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 enter into a contract with Hunter Chase & Associates of Springfield in the amount of \$385,528.00 for Phase 4 of Sidewalk Improvements from Central East to 96 Bridge, a copy of which contract and Notice of Award 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 _____, 2021.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: The Public Works Committee

CONTRACT AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between the City of Carthage, 326 Grant, Carthage, Missouri 64836, First Party, hereinafter referred to as the *OWNER*, and Hunter Chase & Associates, Inc., 1200 E. Woodhurst, Ste. J-200, Springfield, MO 65804, Second Party, hereinafter referred to as the *CONTRACTOR*.

WITNESSETH:

That for and in consideration of the acceptance of Contractor's bid and the award of this contract to said Contractor by the Owner and in further consideration of the agreements of the parties herein contained, to be well and truly observed and faithfully kept by them, and each of them, it is agreed between the parties as follows, to wit:

The Contractor at his own expense hereby agrees to do or furnish all labor, materials, and equipment called for in the proposal designated and marked:

Carthage Citywide Sidewalk Improvements, Phase 4, TAP-1601(703), Carthage, Missouri

and agrees to perform all the work required by the contract as shown on the plans and specifications. The "Notice to Bidders", "Plans", and "Proposal", Contract Bond, "Missouri Standard Specifications For Highway Construction, 2019 Edition", "General and Job Special Provisions", "Notice to Proceed", and all change orders are made a part hereof as fully as if set out herein. It is understood and agreed that, except as may be otherwise provided for the "General and Job Special Provision", included in the Proposal, the work shall be done in accordance with the "Missouri Standard Specifications for Highway Construction, 2019 Edition". Said Specifications are part and parcel of this contract, and are incorporated into this contract as fully and effectively as if set forth in detail herein.

The Contractor further agrees that he is fully informed regarding all of the conditions affecting the work to be done, and labor and materials to be furnished for the completion of this contract, and that his information was secured by personal investigation and research and not from any estimates of the Owner; and that he will make no claim against the Owner by reason of estimates, tests, or representation of any officer, agent, or employees of the Owner.

The said Contractor agrees further to begin work not later than the authorized date in the Notice to Proceed, and to complete the work within the time specified in the proposal or such additional time as may be allowed by the engineer under the contract.

The work shall be done to complete satisfaction of the Owner and, in the case the Federal Government or any agency thereof is participating in the payment of the cost of construction of the work, the work shall also be subject to inspection and approval at all times by the proper agent or agents of such government agency including the Missouri Department of Transportation and the Federal Highway Administration.

The parties hereto agree that this contract in all things shall be governed by the laws of the State of Missouri.

The Contractor agrees that he will comply with all federal and state laws and regulations and local ordinances and that he will comply and cause each of his subcontractors, if any, to comply with all federal and state laws and federal regulations and directives pertaining to nondiscrimination against a person on the ground of race, color, religion, creed, sex, age, ancestry, or national origin in connection with this contract, including procurement of materials and lease of equipment therefore, in accordance with the special provisions on that subject attached hereto, incorporated in and made a part of the contract.

The Contractor expressly warrants that he has employed no third person to solicit or obtain this contract in his behalf, or to cause or procure the same to be obtained upon compensation in any way contingent, in whole or in part, upon such procurement; and that he has not paid, or promised or agreed to pay, to any third person, in consideration of such procurement, or in compensation for services in connection therewith, any brokerage, commission or percentage upon the amount receivable by him hereunder; and that he has not, in estimating the contract price demand by him, included any sum by reason of any such brokerage, commission, or percentage; and that all moneys payable to him hereunder are free from obligation of any other person for services rendered, or supposed to have been rendered, in the procurement of this contract. He further agrees that any breach of this warranty shall constitute adequate cause for the annulment of this contract by the Owner, and that the Owner may retain to its own use from any sums due to or to become due hereunder an amount equal to any brokerage, commission, or percentage so paid, or agreed to be paid.

The Owner agrees to pay the Contractor in the amount Three Hundred Eighty-Five Thousand Five Hundred Twenty-Eight and 00/100 Dollars (\$385,528.00) as full compensation for the performance of work embraced in this contract, subject to adjustment as provided for changes in quantities and approved change orders.

IN WITNESS WHEREOF, the First Party and the Second Party, respectively, have caused this agreement to be duly executed the day and year first herein written, all copies of which, to all intents and purposes, shall be considered as the original.

OWNER:

City of Carthage

(SEAL) _____

By _____

Attest _____

Name Dan Rife
(Please Type or Print)

Name _____
(Please Type or Print)

Title Mayor

Title _____

CONTRACTOR:

(SEAL) _____

By _____

Attest _____

Name _____
(Please Type or Print)

Name _____
(Please Type or Print)

Title _____

CITY OF CARTHAGE

Public Works Department 623 E 7th Carthage MO 64836
Tel: (417) 237-7010 Fax: (417) 237-7011
Email: pwdept@ecarthage.com

"America's Maple Leaf City"



February 9, 2021

LPASubmit@modot.mo.gov
Missouri Department of Transportation
Central Office

RE: Carthage, Missouri TAP-1601(703)
Citywide Sidewalk Improvements, Phase 4
Bid Recommendation

The City of Carthage wishes to request concurrence in award for the above referenced project. The bid opening date was February 3, 2021 and eight (8) bids were received. The City recommends the contract be awarded to Hunter Chase & Associates in the amount of \$385,528.00, for the base bid and Add Alternate #1. The engineer's estimate including Add Alternate #1 was \$481,678.96.

The following information is provided as required:

- ❖ The DBE goal for this project is 5%. The lowest and second lowest bidders appear to have met that goal.
- ❖ Contractors were required to be pre-qualified to bid on the project.
- ❖ No bidders were declared non-responsive/irregular and all bidders appear to be pre-qualified.
- ❖ The LPA did not require additional submittals.
- ❖ The Tabulation of Bids is attached.
- ❖ The executed anti-collusion statements from the lowest and second lowest bidders are attached.
- ❖ The DBE Submittal forms for the lowest and second lowest bidders are attached.
- ❖ The itemized bid forms from the lowest and second lowest bidders are attached.
- ❖ The Affidavit of Publication is attached.
- ❖ The E-Verity Affidavit and MOU for the lowest and second lowest bidders are attached.
- ❖ The Bid Bonds from the lowest and second lowest bidders are attached.
- ❖ No addenda were issued for the project therefore no verification of receipt is required.

Sincerely,

Zeb Carney
City of Carthage, Public Works Director

Cc: Andrew Eckhart, P.E., Anderson Engineering, Inc.

BID TABULATION

City of Carthage, MO

Citywide Sidewalk Improvements, Ph IV, TAP 1601(703)

February 3, 2021



Engineer Estimate						Hunter Chase & Associates 1200 E. Woodhurst, J-200 Springfield, MO 65804		Sprouls Construction, Inc 397 W. DD Hwy Lamar, MO 64759		Hessling Construction 12247 County Rd 637 Dexter, MO 63841		Branco Enterprises 12033 E Hwy 86 Neosho, MO 644	
Item No.	Description	Unit	Quantity	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	Unit Price	Amount	Unit Price	Amount
1	202-20.10	REMOVAL OF IMPROVEMENTS	LS	1	\$ 25,000.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	\$ 40,000.00	\$ 40,000.00	\$ 46,193.76	\$ 46,193.76	\$ 50,000.00
2	207-10.00	LINEAR GRADING - CLASS 2	STA	25.0	\$ 780.00	\$ 19,500.00	\$ 750.00	\$ 18,750.00	\$ 800.00	\$ 20,000.00	\$ 1,580.35	\$ 39,508.75	\$ 1,500.00
3	304-05.04	TYPE 5 AGGREGATE FOR BASE (4 IN. THICK)	SY	4,470	\$ 8.00	\$ 35,760.00	\$ 5.00	\$ 22,350.00	\$ 8.00	\$ 35,760.00	\$ 2.86	\$ 12,784.20	\$ 9.00
4	608-10.12	TRUNCATED DOMES	SF	449.0	\$ 30.00	\$ 13,470.00	\$ 30.00	\$ 13,470.00	\$ 40.00	\$ 17,960.00	\$ 54.00	\$ 24,246.00	\$ 35.00
5	608-60.04	CONCRETE SIDEWALK, 4 IN.	SY	2,210	\$ 50.00	\$ 110,500.00	\$ 40.00	\$ 88,400.00	\$ 45.00	\$ 99,450.00	\$ 32.93	\$ 72,775.30	\$ 50.00
6	608-99.05A	CONCRETE DRIVEWAY ENTRANCES, 8 IN.	SY	1,528	\$ 70.00	\$ 106,960.00	\$ 45.00	\$ 68,760.00	\$ 65.00	\$ 99,320.00	\$ 54.78	\$ 83,703.84	\$ 68.00
7	608-99.05B	REINFORCED CONCRETE OVER U-CHANNEL	SY	84	\$ 140.00	\$ 11,760.00	\$ 165.00	\$ 13,860.00	\$ 150.00	\$ 12,600.00	\$ 126.92	\$ 10,661.28	\$ 195.00
8	609-10.52	CURB AND GUTTER TYPE B	LF	1,667	\$ 23.00	\$ 38,341.00	\$ 20.00	\$ 33,340.00	\$ 28.00	\$ 46,676.00	\$ 30.72	\$ 51,210.24	\$ 27.00
9	614-99.02A	DROP INLET	EA	1	\$ 3,500.00	\$ 3,500.00	\$ 3,081.00	\$ 3,081.00	\$ 3,500.00	\$ 3,500.00	\$ 5,581.28	\$ 5,581.28	\$ 4,000.00
10	614-99.02B	COMBINATION GRATE INLET	EA	2	\$ 5,000.00	\$ 10,000.00	\$ 1,200.00	\$ 2,400.00	\$ 8,000.00	\$ 16,000.00	\$ 3,555.75	\$ 7,111.50	\$ 5,000.00
11	614-99.02C	ADJUST EXISTING STORM GRATE	EA	6	\$ 500.00	\$ 3,000.00	\$ 198.00	\$ 1,188.00	\$ 1,000.00	\$ 6,000.00	\$ 374.27	\$ 2,245.62	\$ 650.00
12	616-10.05	CONSTRUCTION SIGNS	SF	114	\$ 15.00	\$ 1,710.00	\$ 10.00	\$ 1,140.00	\$ 10.00	\$ 1,140.00	\$ 23.03	\$ 2,625.42	\$ 8.00
13	616-10.25	CHANNELIZER (TRIM-LINE)	EA	40	\$ 25.00	\$ 1,000.00	\$ 19.00	\$ 760.00	\$ 30.00	\$ 1,200.00	\$ 39.90	\$ 1,596.00	\$ 16.00
14	616-10.30	TYPE III MOVEABLE BARRICADE	EA	8	\$ 175.00	\$ 1,400.00	\$ 571.00	\$ 4,568.00	\$ 250.00	\$ 2,000.00	\$ 242.92	\$ 1,943.36	\$ 220.00
15	618-10.00	MOBILIZATION	LS	1	\$ 23,841.96	\$ 23,841.96	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00	\$ 37,841.62	\$ 37,841.62	\$ 40,000.00
16	620-00.15	PREFORMED THERMOPLASTIC PAVEMENT MARKING, 24 IN WHITE	LF	160	\$ 25.00	\$ 4,000.00	\$ 35.00	\$ 5,600.00	\$ 35.00	\$ 5,600.00	\$ 34.16	\$ 5,465.60	\$ 33.00
17	620-00.36	PREFORMED THERMOPLASTIC PAVEMENT MARKING, 30 IN WHITE MIDBLOCK	EA	20	\$ 240.00	\$ 4,800.00	\$ 195.00	\$ 3,900.00	\$ 300.00	\$ 6,000.00	\$ 267.05	\$ 5,341.00	\$ 285.00
18	620-00.42	PREFORMED THERMOPLASTIC PAVEMENT MARKING, 12 IN WHITE, YIELD LINE TRIANGLES	EA	25	\$ 65.00	\$ 1,625.00	\$ 45.00	\$ 1,125.00	\$ 30.00	\$ 750.00	\$ 123.12	\$ 3,078.00	\$ 28.00
19	805-99.19	SEEDING & MULCH	AC	0.20	\$ 12,500.00	\$ 2,500.00	\$ 6,000.00	\$ 1,200.00	\$ 15,000.00	\$ 3,000.00	\$ 8,823.05	\$ 1,764.61	\$ 16,500.00
20	806-10.07A	CURB INLET CHECK	EA	10	\$ 110.00	\$ 1,100.00	\$ 63.00	\$ 630.00	\$ 300.00	\$ 3,000.00	\$ 309.18	\$ 3,091.80	\$ 275.00
21	903-60.04A	SH-FLAT SHEET (PERMANENT SIGNING)	SF	36	\$ 40.00	\$ 1,440.00	\$ 63.00	\$ 2,268.00	\$ 100.00	\$ 3,600.00	\$ 107.21	\$ 3,859.56	\$ 40.00
Total Base Bid					\$ 421,207.96		\$ 326,790.00		\$ 443,556.00		\$ 422,628.74		

Engineer Estimate						Hunter Chase		Sprouls		Hessling		Branco	
Item No.	Description	Unit	Quantity	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	Unit Price	Amount	Unit Price	Amount
1	202-20.10	REMOVAL OF IMPROVEMENTS	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 11,000.00	\$ 11,000.00	\$ 10,000.00	\$ 10,000.00	\$ 45,277.18	\$ 45,277.18	\$ 10,000.00
2	304-05.04	TYPE 5 AGGREGATE FOR BASE (4 IN. THICK)	SY	832	\$ 8.00	\$ 6,656.00	\$ 6.00	\$ 4,992.00	\$ 8.00	\$ 6,656.00	\$ 15.67	\$ 13,037.44	\$ 9.00
3	608-99.05A	CONCRETE DRIVEWAY ENTRANCES, 8 IN.	SY	146	\$ 70.00	\$ 10,220.00	\$ 51.00	\$ 7,446.00	\$ 65.00	\$ 9,490.00	\$ 146.99	\$ 21,460.54	\$ 68.00
4	609-10.52	CURB AND GUTTER TYPE B	LF	1765	\$ 23.00	\$ 40,595.00	\$ 20.00	\$ 35,300.00	\$ 28.00	\$ 49,420.00	\$ 19.50	\$ 34,417.50	\$ 27.00
Total Alternate #1					\$ 60,471.00		\$ 58,738.00		\$ 75,566.00		\$ 114,192.66		
Total Base Bid + Alternate #1					\$ 481,678.96		\$ 385,528.00		\$ 519,122.00		\$ 536,821.40		

This is to certify that at 10:00 A.M. on February 3, 2021, at the Carthage, City Hall office, the bids tabulated herein were publicly opened, read aloud and checked.

*Red denotes error in addition

Anderson Engineering, Inc.

est. inc	A. T. Urban Development, Inc 6891 St. Hwy 125 South Chadwick, MO 65629	D & E Plumbing & Heating, Inc 1112 N. Falcon Crest Court Nixa, MO 65714	RFB Construction Co., Inc 565 E. 520th Ave Pittsburg, KS 65762	MLPensons Construction, Inc PO Box 3938 Poplar Bluff, MO 63902					
350	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
\$	50,000.00	\$ 90,000.00	\$ 90,000.00	\$ 60,000.00	\$ 10,000.00	\$ 10,000.00	\$ 86,500.00	\$ 86,500.00	\$ 86,500.00
\$	37,500.00	\$ 500.00	\$ 12,500.00	\$ 25,000.00	\$ 300.00	\$ 7,500.00	\$ 1,150.00	\$ 28,750.00	\$ 28,750.00
\$	40,330.00	\$ 8.00	\$ 35,760.00	\$ 8.00	\$ 35,760.00	\$ 9.15	\$ 40,900.50	\$ 8.60	\$ 38,441.00
\$	15,715.00	\$ 33.00	\$ 14,817.00	\$ 30.00	\$ 13,470.00	\$ 45.00	\$ 20,203.00	\$ 21.00	\$ 9,429.00
\$	110,500.00	\$ 50.00	\$ 110,500.00	\$ 60.00	\$ 132,600.00	\$ 65.00	\$ 143,650.00	\$ 60.00	\$ 132,600.00
\$	103,904.00	\$ 70.00	\$ 106,960.00	\$ 60.00	\$ 91,680.00	\$ 92.00	\$ 140,576.00	\$ 90.75	\$ 138,666.00
\$	16,380.00	\$ 100.00	\$ 8,400.00	\$ 210.00	\$ 18,480.00	\$ 150.00	\$ 17,600.00	\$ 86.75	\$ 7,287.00
\$	45,009.00	\$ 30.00	\$ 50,010.00	\$ 30.00	\$ 50,010.00	\$ 25.00	\$ 41,675.00	\$ 46.75	\$ 77,932.25
\$	4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00	\$ 4,000.00	\$ 4,000.00
\$	10,000.00	\$ 5,000.00	\$ 10,000.00	\$ 7,000.00	\$ 14,000.00	\$ 6,150.00	\$ 12,300.00	\$ 6,100.00	\$ 12,200.00
\$	3,900.00	\$ 1,000.00	\$ 6,000.00	\$ 1,500.00	\$ 9,000.00	\$ 1,435.00	\$ 8,610.00	\$ 1,550.00	\$ 9,300.00
\$	912.00	\$ 20.00	\$ 2,280.00	\$ 7.00	\$ 798.00	\$ 12.00	\$ 1,368.00	\$ 24.00	\$ 2,736.00
\$	640.00	\$ 20.00	\$ 800.00	\$ 15.00	\$ 600.00	\$ 22.00	\$ 880.00	\$ 100.00	\$ 4,000.00
\$	1,760.00	\$ 200.00	\$ 1,600.00	\$ 200.00	\$ 1,600.00	\$ 145.00	\$ 1,160.00	\$ 540.00	\$ 4,320.00
\$	40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 40,147.55	\$ 40,147.55
\$	5,280.00	\$ 30.00	\$ 4,800.00	\$ 30.00	\$ 4,800.00	\$ 45.00	\$ 7,200.00	\$ 30.45	\$ 4,872.00
\$	5,700.00	\$ 250.00	\$ 5,000.00	\$ 260.00	\$ 5,200.00	\$ 290.00	\$ 5,800.00	\$ 240.00	\$ 4,800.00
\$	700.00	\$ 50.00	\$ 1,250.00	\$ 25.00	\$ 625.00	\$ 225.00	\$ 5,625.00	\$ 43.00	\$ 1,075.00
\$	3,300.00	\$ 10,000.00	\$ 2,000.00	\$ 5,000.00	\$ 1,000.00	\$ 14,000.00	\$ 2,800.00	\$ 21,000.00	\$ 4,200.00
\$	2,750.00	\$ 100.00	\$ 1,000.00	\$ 150.00	\$ 1,500.00	\$ 600.00	\$ 6,000.00	\$ 350.00	\$ 3,500.00
\$	1,440.00	\$ 50.00	\$ 1,800.00	\$ 50.00	\$ 1,800.00	\$ 69.00	\$ 2,484.00	\$ 50.25	\$ 1,809.00
\$	499,620.00	\$ 510,477.00	\$ 522,923.00	\$ 530,333.50	\$ 616,565.80	\$ 616,565.80	\$ 616,565.80	\$ 616,565.80	\$ 616,565.80

rinco	A. T. Urban	D & E Plumbing	RFB Construction	RL Persons
\$	10,000.00	\$ 25,000.00	\$ 25,000.00	\$ 57,000.00
\$	7,488.00	\$ 8.00	\$ 6,656.00	\$ 9.10
\$	9,978.00	\$ 80.00	\$ 11,680.00	\$ 80.75
\$	47,655.00	\$ 30.00	\$ 52,950.00	\$ 46.50
\$	75,071.00	\$ 96,286.00	\$ 93,366.00	\$ 158,433.20
\$	574,691.00	\$ 606,763.00	\$ 616,289.00	\$ 774,999.00

COUNCIL BILL NO. 21-16

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to enter into a contract with the Fair Acres Family YMCA, Inc., for Aquatic Facility Management at Municipal Park.

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 enter into a contract with the Fair Acres family YMCA, Inc., for Aquatic Facility Management at Municipal Park, a copy of which agreement is attached hereto and incorporated herein as if set out in full.

SECTION II: That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

City of Carthage

2021

POOL MANAGEMENT CONTRACT

This agreement is entered into on this day _____, by and between the Fair Acres Family YMCA, Inc., a Missouri non-profit corporation (hereinafter, "FAFY"), and the City of Carthage (hereinafter, "The City").

WHEREAS, FAFY is engaged in the business of Aquatic Facility Management and,

WHEREAS, The city is the owner of two public swimming pool facilities located at 520 Roberts Ellis Young Dr., Carthage, Missouri and 714 S Garrison, Carthage, Missouri and,

WHEREAS, Owner desires to hire FAFY to manage and maintain the pool, upon the terms and conditions hereinafter set forth. The parties hereto intend that an independent contractor-employer relationship will be created by this contract. The City is interested only in the results to be achieved and the conduct and control of the work will lie solely with FAFY. FAFY is not to be considered an agent of the city for any purpose, and the employees of FAFY are not entitled to any of the benefits that the City provides for its employees, if any.

WHEREAS, it is the purpose of the City to provide, in the most efficient and effective manner, recreational facilities and programs to the residents of the City. The City believes that the scope and effectiveness of its programs can be improved by associating with the FAFY in order to utilize its training, experience and resources. The purpose of this Agreement is to outline the terms of a cooperative arrangement between the parties that is designed to increase, improve and enhance the City's recreational programs.

NOW, THEREFORE, in consideration of these premises and of the agreements hereinafter set forth, the parties agree as follows:

1. ENGAGEMENT. The owner hereby hires FAFY, and FAFY agrees to maintain and operate the pool upon the terms and conditions set forth in the Contract.

2. STAFFING REQUIREMENT. FAFY shall provide YMCA or Red Cross Certified Lifeguard(s), for the management of the pool pursuant to the terms of this contract. Pool manager will be on FAFY salary allowing a decrease in management fees. All personnel provided by FAFY shall be FAFY's employees. FAFY shall be responsible for all hiring and firing and scheduling decisions, paying the employees, providing workers compensation and unemployment insurance, and for adequate supervision and administration of the staff.

3. SCHEDULE AND FEES. The pool will be operated according to the times Set forth in Schedule A (Operational Schedule). The pool shall be opened during the hours specified unless the pool must be closed due to mechanical breakdown, unsafe weather conditions, or contamination as reasonably determined by the FAFY. In the event of unsafe weather conditions, the FAFY staff member on duty shall evacuate the pool and remain on station for 1 hour to determine if the pool may be re-opened that day. If it starts raining after 4:45pm, it will be within the lifeguard's discretion as to

whether to close or keep the pool open. The City will pay FAFY according to Schedule B (Payment schedule). Gate fees, individual and family passes, and all other special passes and fees, are set forth in Schedule C (Fee Schedule); however, The City and FAFY may modify or amend the gate and pass fees by mutually agreed upon written amendment to Schedule C.

4. INSPECTION. The FAFY administrative staff or lifeguards shall inspect the Pool on a daily basis to insure that the terms and provisions of this contract and the policies of FAFY are being properly executed.

5. POOL REGULATIONS. FAFY shall establish and enforce all pool operational procedures and regulations for safety and maintenance. FAFY shall also enforce additional regulations pertaining to the pool, as provided by the City. All FAFY personnel, the City's members, employees, and guests of the City using the pool and its environs shall follow these regulations. FAFY staff is hereby authorized to cause to be removed from the pool or its environs any individual(s) violating the pool regulations as reasonably determined by FAFY's employees, in their sole discretion. FAFY employees maintain the right to permanently remove from the pool any individual as a result of drinking/drug abuse or physical assault, etc.

The FAFY lifeguard has the last word on the pool deck and in the water. Both the FAFY and the lifeguard are held harmless with regard to any consequences arising from this termination or agreement and the lifeguard will immediately cease all activity and vacate the premises.

6. REPAIRS. If the pool must be closed while awaiting mechanical repair, the City's designated representative shall be advised as soon as practicable. FAFY's personnel will not open the pool unless all systems are operating properly. The City shall provide any reasonable repairs to the pool and the surrounding area. Any clean-up due to vandalism and/or repair due to vandalism shall be billed separately from contract and paid for by The City. FAFY shall contact the City's designated representative to arrange inspection prior to clean up. If the pool must be closed for mechanical repair that by no means does that obviate the City's duty to pay FAFY under the terms of schedule B.

7. ROUTINE MAINTENANCE. All necessary chemicals to properly maintain the pool will be supplied by FAFY. FAFY shall maintain the pool according to the regulations of the Missouri State Health. FAFY will provide paper products for the restrooms. The City will provide utilities services, including electric, sewer, trash, natural gas, and a functional, hard-wired telephone with 911 capability, and any additional fees relating to utilities for the duration of the contract to begin one week prior to pool opening. The City will remove water, clean and refill the pool with fresh city water the third week in May. FAFY will initiate the treatment and maintenance of the pool water following the City's initial spring clean-up no earlier than the third week in May.

8. HOLD HARMLESS AGREEMENT. To the fullest extent permitted by law, The FAFY agrees to indemnify, defend and hold harmless the City of Carthage, Missouri, its officers, agents, volunteers, and employees from and against all claims for bodily injuries or property damage or loss, including but not limited to attorney's fees, court costs, or other alternative dispute resolution costs, arising out of, or in any manner related to the use of the pool by the City and the City's residents, invitees, or trespassers, caused in whole or in part by the actual or alleged negligent acts, errors, or omissions of the FAFY, its officers, agents and volunteers, or anyone directly or indirectly employed or hired by the FAFY or anyone for whose acts FAFY may be liable.

To the fullest extent permitted by law, the City of Carthage agrees to indemnify, defend and hold harmless the Fair Acres Family YMCA, its officers, agents, volunteers, and employees from and against all claims for bodily injuries or property damage or loss, including but not limited to attorney's fees, court costs, or other alternative dispute resolution costs, arising out of, or in any manner related to the use of the pool by the City and the City's residents, invitees, or trespassers, caused in whole or in part by the actual or alleged negligent acts, errors, or omissions of the City of Carthage, Missouri, its officers, agents and volunteers, or anyone directly or indirectly employed or hired by the City of Carthage or anyone for whose acts the City of Carthage may be liable.

9. INSURANCE. The City shall maintain, in full force and effect during the term of this contract, a general liability insurance policy, to protect the City, in the face amount of not less than \$2,000,000. FAFY shall also maintain general liability insurance in the face amount of \$2,000,000, in full force for the duration of this contract and will provide the City with certificates of insurance, with the City of Carthage being listed as an additional insured and all proper endorsements being attached, for both general liability and workers' compensation insurance on request. In turn the City will provide the Fair Acres Family YMCA with certificates of insurance, with the Fair Acres Family YMCA being listed as an additional insured and all proper endorsements being attached, for both general liability and workers' compensation insurance on request.

10. PROGRAMMING. FAFY is solely authorized to conduct swimming instruction and water exercise programs on Mondays through Saturdays. Private parties will be scheduled by FAFY and staffed by FAFY personnel at the rate of \$150.00 for 2 hours. In general, the FAFY agrees to provide the personnel necessary to organize, publicize, manage and operate the City's swimming pool facilities. Also, the FAFY agrees to be liable for the operating costs incurred by these programs. Carthage summer Aquatic Swim Team will have access to the municipal pool for practices and meets. Times and dates will need to be agreed upon with FAFY staff.

11. TERMINATION. The City shall have the right to terminate this contract at any time for cause, and any of the following acts by FAFY shall constitute cause for termination of this contract:

- A. The assignment by FAFY of this Contract, or any rights there under, without the City's written consent, or
- B. The appointment of a receiver for FAFY, or an application therefore, or the filing of a petition by or against FAFY under the federal bankruptcy Act, or,
- C. The assignment for the benefit of creditors, or,
- D. Natural Disaster and/or acts of mother nature, or,
- E. The breach of any terms or conditions contained herein.

Cancellation of this contract by the City for any reason other than the Causes expressly stated above shall constitute a breach of this contract, in which case the balance of the Contract shall become immediately due and payable.

In the event of a litigation to enforce the payment terms of this contract, the prevailing party shall be entitled to a reasonable attorney's fee and costs, if any.

12. OWNER'S DESIGNATED REPRESENTATIVE. The City shall designate an Agent(s) who shall be an employee of the City, for the purpose of this contract. The FAFY Director of Aquatics shall address to and all patron complaints or suggestions. The City's designated agent may be changed from time to time at the discretion of the City.

Mayor Dan Rife
City of Carthage

Date_____

Tom Short
City of Carthage
Director

Date_____

Jonathan H Roberts
Executive Director
Fair Acres Family YMCA

Date_____

SCHEDULE A: Operational Schedule

Opening date: Saturday, May 29th

Closed Days: TBD

Last Day of Season: August 21st

SCHEDULE B: Payment Schedule

The contract amount for the summer of 2021 is: \$60,000.00

Payments will be divided as follows:

May: \$15,000

June: \$15,000

July: \$15,000

August: \$15,000

All swimming facility income should it be program, gate or other should go directly to the FAFY

Payments will be due on the 25th of each month. FAFY will provide an invoice to the City no later than the 10th of each month.

SCHEDULE C: Fee Schedule

Daily Pass

Central Pool

FREE – Ages 10 & under

Municipal Pool

Free - Age 3 & Under

\$2.00 - Age 4-15

\$3.00 – Age 16+

Rental

\$150 – Municipal Pool for 2hrs

\$50 – Central Pool for 2hrs

Admission to the pools at no additional costs will be included in Fair Acres Family YMCA memberships.

Municipal and Central Park Pool Summary

REVENUES	2013	2014	2015	2016	2017	2018	2019	2020 Budget	2020	2021 budget
Gate Fees	\$ 16,093	\$ 10,451	\$ 12,199	\$ 12,849	\$ 13,233	\$ 11,969	\$ 10,718	\$ 12,500	\$ 8,356	\$ 12,000
Rentals				\$ 2,309	\$ 3,854	\$ 3,642	\$ 3,424	\$ 4,000	\$ 3,425	\$ 3,500
Concessions	\$ 8,018	\$ 5,945	\$ 7,779	\$ 11,201	\$ 11,556	\$ 10,382	\$ 9,986	\$ 10,500	\$ 8,859	\$ 10,500
	\$ 24,111	\$ 16,396	\$ 19,978	\$ 26,359	\$ 28,643	\$ 25,993	\$ 24,128	\$ 27,000	\$ 20,640	\$ 26,000
Expenses										
Salaries	\$ 36,628	\$ 36,027	\$ 38,054	\$ 48,101	\$ 49,037	\$ 48,578	\$ 49,347	\$ 57,000	\$ 56,298	\$ 60,000
FICA	\$ 2,880	\$ 2,617	\$ 2,882	\$ 3,715	\$ 3,767	\$ 3,800	\$ 4,318	\$ 6,000	\$ 4,576	\$ 6,000
Worker's Comp	\$ 1,054	\$ 1,350	\$ 979	\$ 518	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 40,562	\$ 39,994	\$ 41,915	\$ 52,334	\$ 52,804	\$ 52,378	\$ 53,665	\$ 63,000	\$ 60,874	\$ 66,000
Maintanance	\$ 4,369	\$ 6,740	\$ 6,201	\$ 542	\$ 596	\$ -	\$ 685	\$ 700	\$ 112	\$ 700
Chlorine and acid				\$ 10,026	\$ 12,136	\$ 9,450	\$ 8,379	\$ 10,000	\$ 7,576	\$ 10,000
Telephone/Tablet	\$ 76	\$ 168	\$ 134	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100	\$ 100
General Office Expense	\$ 24	\$ 222	\$ 6	\$ -	\$ -	\$ -	\$ 75	\$ 75	\$ 75	\$ 75
Concession Supplies	\$ 6,017	\$ 5,349	\$ 5,411	\$ 6,729	\$ 5,985	\$ 5,306	\$ 5,221	\$ 6,000	\$ 5,835	\$ 6,000
General Tools and Supplies	\$ 2,777	\$ 4,206	\$ 4,215	\$ 1,966	\$ 904	\$ 2,564	\$ 1,432	\$ 1,750	\$ 1,927	\$ 1,500
Mileage	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 350	\$ 350	\$ 350	\$ 350
Utilities	\$ 7,189	\$ 5,111	\$ 6,716	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	\$ 20,452	\$ 21,796	\$ 22,683	\$ 19,363	\$ 19,721	\$ 17,420	\$ 16,242	\$ 18,975	\$ 15,975	\$ 18,725
Capital										
Grants/Donation	\$ -	\$ 3,619	\$ -	\$ 25,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Expenses	\$ 61,014	\$ 61,790	\$ 64,598	\$ 71,697	\$ 72,525	\$ 69,798	\$ 69,907	\$ 81,975	\$ 76,849	\$ 84,725
Profit/Loss	\$ (36,903)	\$ (45,394)	\$ (44,620)	\$ (45,338)	\$ (43,882)	\$ (43,806)	\$ (45,779)	\$ (54,975)	\$ (56,209)	\$ (58,725)
City Contract				\$ 40,500	\$ 44,000	\$ 44,000	\$ 50,000	\$ 55,000	\$ 55,000	\$ 60,000
Total Visits	5,499	4,922	5,802	11,180	10,757	10,363	9,156		7,611	
				159 - Muni	132 - Muni	140 - Muni	144 - Muni		96 - Muni	
Daily Average	74	67	78	27 - Central	36 - Central	21 - Central	31 - Central		15 - Central	
Days Open	59	61	56	66	70	67	58		74	
Days Closed/partial	15	13	18	18	16	12	21		11	

Highlights

2016

Steadley Grant purchases

Purchased 50 lounge chairs and 15 rocking chairs for guests
Replaced the Fridge and Freezer in Concession stand - Muni
Replaced Air Conditioning unit in Concession stand - Muni
Purchased 6 new lifeguard chairs and 6 new umbrellas - Muni
Purchased a new pool vacuum - Muni
Replaced valve on chlorinator - Muni
Installed two baby changing tables in locker rooms - Muni

Other upgrades by the city

Added new shade structure - Muni
Painted the Lockerrooms - Muni
Replaced the Pool grates - Both

2017

Hosted a two day outdoor swim meet - Muni
Painted the pools - Both
Replaced starting blocks - Muni
Replaced entrance steps - Muni
Survived a hail storm

2018

New ADA compliant Lift
New pool Vacuum
Building roof repairs - Muni
Bathroom remodel - Central
New Stairs for shallow well entry and exit - Muni
Hosted a two Day outdoor swim meet - Muni
Opened for three Food Truck Friday - Central

2019

New Central pool Fence
Add privacy fence slats around maintenance area - Muni
Painted bathhouses - Muni
Hosted a two Day outdoor swim meet - Muni
Opened for three Food Truck Friday - Central

2020
Survived COVID!!!

***MAYOR'S
APPOINTMENTS***

Mayor's Appointments

March 2021

Planning, Zoning, & Historic Preservation Commission

4 Year Term – 7 Members – Meets 1st Monday – 5:30PM – Council Chambers

<u>NAME</u>	<u>PHONE</u>	<u>ADDRESS</u>	<u>APPOINTED</u>	<u>EXPIRES</u>
Jim Hunter	850-5355	1514 S. River	03-23-21	Mar 25

RESOLUTIONS

Resolution 1925

A RESOLUTION AUTHORIZING WITHDRAWAL OF THE CITY OF CARTHAGE'S PARTICIPATION FROM MIDWEST PUBLIC RISK OF MISSOURI'S PROPERTY AND LIABILITY PROGRAMS FOR THE 2021-2022 POLICY YEAR

WHEREAS, Midwest Public Risk of Missouri (MPR) is a not-for-profit corporation created for the purpose of providing a voluntary self-insured pool for municipalities and school districts for property and casualty and other insurance coverage areas; and

WHEREAS, the City of Carthage has been a Member of MPR; and

WHEREAS, MPR bylaws outlined in Section 5.8 require any member entity wishing to withdraw from participation in one or more of its programs to provide notification to MPR within ninety (90) days of the beginning of a new policy year; and

WHEREAS, the City of Carthage recently solicited bids for Property and Liability insurance coverage commencing July 1, 2021, which will result in its withdrawal from MPR.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Carthage, Missouri as follows:

Section 1. The City Council of the City of Carthage, Missouri hereby authorize the City Administrator or the City Clerk to inform Midwest Public Risk (MPR) that the city is withdrawing from membership in MPR's Property and Liability Insurance.

Section 2. The effective date of such withdrawal from Property and Liability Insurance is July 1, 2021.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CARTHAGE, MISSOURI THIS _____ DAY OF MARCH, 2021.

Mayor

ATTEST:

City Clerk

Sponsored by Insurance, Audit & Claims

RESOLUTION NO. 1926

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARTHAGE APPROVING A RECOMMENDATION OF THE PUBLIC WORKS COMMITTEE GRANTING AN ADMINISTRATIVE LOT SPLIT FOR PROPERTY LOCATED WEST OF HAZEL AVENUE AND NORTH OF GEORGE E PHELPS BOULEVARD CONSISTING OF APPROXIMATELY 107 ACRES.

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

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

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

WHEREAS, staff presented its recommendation to the Public Works Committee at its regularly scheduled meeting of February 4, 2020 for action and recommendation to the City Council; and

WHEREAS, on February 4, 2020 the Public Works Committee considered and discussed the staff recommendation and voted unanimously in favor of recommending said administrative lot split to the City Council.

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

That pursuant to Section 22-21 (d) of the Code of Carthage, the administrative lot split located west of Hazel Avenue and north of George E. Phelps Boulevard consisting of approximately 107 acres, Carthage, Missouri (the "Property") as recommended by the City's Public Works Committee is hereby approved as submitted (attached), contingent upon purchase of the Property by Schreiber Foods, Inc., or its assignee on or before July 23, 2021. If the Property is not purchased by Schreiber Foods, Inc., or its assignee on or before such date the previously approved annexation of the Property is revoked and cancelled and of no force or effect. If any portion hereof shall be invalid or unenforceable to any extent, the remainder hereof shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

PASSED AND APPROVED THIS _____ DAY OF _____, 2021.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Public Works Committee

TOTAL TRACT

A tract of land as described in Book 2077, Page 1123 and Book 2426, Page 286 of the office of the recorder of deeds in Jasper County, Missouri, being part of the North Half of the Southwest Quarter and part of the Northwest Quarter of Section 16, Township 28 North, Range 31 West; and all of Lots numbered 174 thru 187 inclusive, and Lots 189 thru 227 inclusive, and Lots 247 thru 280 inclusive, and lots 304 thru 309 inclusive lying east of Interstate 49, together with all of the vacated streets and alleys lying adjacent to said lots, except the east half of the alley lying on the west side of lot 188, all in South Side Addition to the City of Carthage, as recorded in Plat Book 2, Page 273 of the above said records, being located in the Northwest Quarter of Section 16, Township 28 North, Range 31 West, City of Carthage, Jasper County, Missouri, being more particularly described as follows:

Commencing at the southeast corner of the Southwest Quarter of above said Section 16, thence along the east lines thereof, North 01 degrees 23 minutes 24 seconds East, 1320.99 feet to the southeast corner of the North Half of the Southwest Quarter of said Section 16; thence along the south line said North Half, North 89 degrees 59 minutes 03 seconds West, 30.01 feet to a found 5/8" Iron bar located on the west right-of-way line of Hazel Avenue, 60 feet wide, said point also being the POINT OF BEGINNING of the herein described tract; thence continuing along last said south line North 89 degrees 59 minutes 03 seconds West, 1,529.48 feet to a found 5 / 8 " iron bar, located on the east right-of-way line of Interstate 49, variable width; thence along said right-of-way line the following courses and distances: North 25 degrees 27 minutes 49 seconds West, 733.48 feet; North 21 degrees 40 minutes 40 seconds West, 300.52 feet; North 25 degrees 29 minutes 56 seconds West, 600.19 feet; North 22 degrees 36 minutes 53 seconds West, 99.63 feet to a found iron rod and North 25 degrees 29 minutes 12 seconds West, 443.34 feet to an existing right-of-way marker located on the southeastern right-of-way line of the Missouri Pacific Railroad, 100 feet wide, said point also being located on a curve to the left having a radius of 2907.00 feet; thence along said southeastern right- of- way and said curve with an arc length of 935.21 feet and a chord which bears North 46 degrees 47 minutes 10 seconds East, 931.18 feet to its intersection with the direct northwesterly prolongation of the south right-of-way line of Elk Street, 60 feet wide, per the plat of South Side Addition as recorded in Plat Book 2, Page 273 of above said Jasper County records, (Elk Street now vacated); thence along said prolongation line and said south line of vacated Elk Street, South 89 degrees 51 minutes 50 seconds East, 488.72 feet to a found iron rod located at the intersection of the direct southeasterly line of said Elk Street and the centerline of vacated Washington Avenue, 60 feet wide; thence along said centerline, North 01 degree 19 minutes 28 seconds East, 588.32 feet to a found iron rod, located at its intersection with the direct northwestern right-of-way line of vacated South Side Boulevard, 60 feet wide; thence along said prolongation line and said south line of vacated South Side Boulevard, South 89 degrees 51 minutes 51 seconds East, 223.74 feet; thence North 01 degree 19 minutes 01 second East, 30.01 feet to the centerline of said vacated South Side Boulevard; thence along said centerline, South 89 degrees 51 minutes 51 seconds East, 193.73 feet to a found iron rod located on the west right-of-way line of Broadway, 60 feet wide; thence along said west line, South 01 degree 18

minutes 34 seconds West, 819.64 feet to a found iron rod located at the northeast corner of Lot 188 of above said South Side Addition; thence along the north, line and its western extension, North 89 degrees 58 minutes 17 seconds West, 200.00 feet to a found iron rod located at the centerline of a vacated 20 feet wide alley; thence along said centerline, South 01 degree 18 minutes 34 seconds West, 50.00 feet to a found iron rod located at the its intersection with western extension of the south line of said Lot 188; thence along said extension and the south line said Lot 188, South 89 degrees 58 minutes 17 seconds East, 200.00 feet to a found iron rod located at the southeast corner of said Lot 188, said point also being located on the west line of above said Broadway; thence along said west line, South 01 degree 18 minutes 34 seconds West, 710.14 feet to the south line of vacated Glendale Street, 30 feet wide; thence along said south line, South 89 degrees 58 minutes 38 seconds East, 919.94 feet to a found iron rod located on the west right-of-way line of above said Hazel Avenue; thence along said west right-of-way line South 01 degree 19 minutes 37 seconds West, 329.81 feet to a found iron rod at the intersection of said right-of-way line and the north line of the Southwest Quarter of above said Section 16; thence continuing along last said right-of-way line, South 01 degree 23 minutes 24 seconds West, 1,320.37 feet to the POINT OF BEGINNING. Bearings are based on the Missouri Coordinate System of 1983, West Zone.

Containing 4,676,865 square feet or 107.366 acres, more or less.

Lot 1

Part of tracts of land as described in Book 2077, Page 1123 and Book 2426, Page 286 both of the Office of the Recorder of Deeds in Jasper County, Missouri, located in the east Half of Section 16, Township 28 North, Range 31 West, City of Carthage, Jasper County, being more particularly described as follows:

Commencing at the southeast corner of the Southwest Quarter of above said Section 16, thence along the east lines thereof, North 01 degrees 23 minutes 24 seconds East, 1320.99 feet to the southeast corner of the North Half of the Southwest Quarter of said Section 16; thence along the south line said North Half, North 89 degrees 59 minutes 03 seconds West, 30.01 feet to a found 5/8" Iron bar located on the west right-of-way line of Hazel Avenue, 60 feet wide, said point also being the POINT OF BEGINNING of the herein described tract; thence continuing along last said south line North 89 degrees 59 minutes 03 seconds West, 1,529.48 feet to a found 5 / 8 " iron bar, located on the east right-of-way line of Interstate 49, variable width; thence along said right-of-way line the following courses and distances: North 25 degrees 27 minutes 49 seconds West, 733.48 feet; North 21 degrees 40 minutes 40 seconds West, 300.52 feet; North 25 degrees 29 minutes 56 seconds West, 600.19 feet; North 22 degrees 36 minutes 53 seconds West, 99.63 feet to a found iron rod and North 25 degrees 29 minutes 12 seconds West, 443.34 feet to an existing right-of-way marker located on the southeastern right-of-way line of the Missouri Pacific Railroad, 100 feet wide, said point also being located on a curve to the left having a radius of 2907.00 feet; thence along said southeastern right- of- way and said curve with an arc length of 512.85 and a chord which bears North 50 degrees 56 minutes 54 seconds East, 512.19 feet; thence departing said railroad right-of-way line, the following: South 83 degrees 34 minutes 56 seconds East, 424.29 feet; South 25 degrees 24 minutes 34 seconds East,

2,210.27 feet and South 89 degrees 58 minutes 24 seconds East, 681.69 feet to the west right-of-way line of above said Hazel Avenue; thence along said right-of-way line, South 01 degree 23 minutes 24 seconds West, 254.37 feet to the POINT OF BEGINNING.

Containing 2,261,538.01 square feet or 51.9178 acres, more or less.

Lot 2

Part of tracts of land as described in Book 2077, Page 1123 and Book 2426, Page 286 both of the Office of the Recorder of Deeds in Jasper County, Missouri, located in the east Half of Section 16, Township 28 North, Range 31 West, City of Carthage, Jasper County, being more particularly described as follows:

Commencing at the southeast corner of the Southwest Quarter of above said Section 16, thence along the east line thereof, North 01 degrees 23 minutes 24 seconds East, 1320.99 feet to the southeast corner of the North Half of the Southwest Quarter of said Section 16 thence along the south line said North Half, North 89 degrees 59 minutes 03 seconds West, 30.01 feet to a found 5/8" Iron bar located on the west right-of-way line of Hazel Avenue, 60 feet wide; thence along said right-of-way line North 01 degree 23 minutes 24 seconds East, 254.37 feet to the POINT OF BEGINNING of the herein described tract; thence departing said right-of-way line the following courses and distances: North 89 degrees 58 minutes 24 seconds West, 681.69 feet; North 25 degrees 24 minutes 34 seconds West, 2,210.27 feet and North 83 degrees 34 minutes 56 seconds West, 424.29 feet to the southeastern right-of-way line of the Missouri Pacific Railroad, 100 feet wide, said point also being located on a curve to the left having a radius of 2907.00 feet; thence along said right-of-way line and last said curve with an arc length of 422.36 and a chord which bears North 41 degrees 43 minutes 56 seconds East, 421.99 feet to its intersection with the direct northwesterly prolongation of the south right-of-way line of Elk Street, 60 feet wide, per the plat of South Side Addition as recorded in Plat Book 2, Page 152 of above said Jasper County records, (now vacated); thence along said prolongation line and said south line of vacated Elk Street, South 89 degrees 51 minutes 50 seconds East, 488.72 feet to a found iron rod located at the intersection of the direct southeasterly line of said Elk Street and the centerline of vacated Washington Avenue, 60 feet wide; thence along said centerline, North 01 degree 19 minutes 28 seconds East, 588.32 feet to a found iron rod, located at its intersection with the direct northwestern right-of-way line of vacated South Side Boulevard, 60 feet wide; thence along said prolongation line and said south line of vacated South Side Boulevard, South 89 degrees 51 minutes 51 seconds East, 223.74 feet; thence North 01 degree 19 minutes 01 second East, 30.01 feet to the centerline of said vacated South Side Boulevard; thence along said centerline, South 89 degrees 51 minutes 51 seconds East, 193.73 feet to a found iron rod located on the west line of vacated Broadway, 60 feet wide; thence along said west line, South 01 degree 18 minutes 34 seconds West, 819.64 feet to a found iron rod located at the northeast corner of Lot 188 of above said South Side Addition; thence along the north, west and south lines thereof the following courses and distances: ; North 89 degrees 58 minutes 17 seconds West, 200.00 feet to a found iron rod; South 01 degree 18 minutes 34 seconds West, 50.00 feet to a found iron rod and South 89 degrees 58 minutes 17

seconds East, 200.00 feet to a found iron rod located at the southeast corner of said Lot 188, said point also being located on the west line of above said Broadway ; thence along said west line, South 01 degree 18 minutes 34 seconds West, 710.14 feet to the south line of vacated Glendale Street, 30 feet wide; thence along said south line, South 89 degrees 58 minutes 38 seconds East, 919.94 feet to a found iron rod located on the west right-of-way line of above said Hazel Avenue; thence along said west right-of-way line South 01 degree 19 minutes 37 seconds West, 329.81 feet to a found iron rod at the intersection of said right-of-way line and the north line of the Southwest Quarter of above said Section 16; thence continuing along last said right-of-way line, South 01 degree 23 minutes 24 seconds West, 1,066.00 feet to the POINT OF BEGINNING. Containing 2,415,326.50 square feet or 55.4483 acres, more or less.

MINUTES
STANDING
COMMITTEES

BUDGET WAYS & MEANS COMMITTEE
MONDAY, March 8, 2021 5:30 P.M.
CITY HALL COUNCIL CHAMBERS

MEMBERS PRESENT via VIDEO CONFERENCING: Alan Snow, Ray West and Ed Barlow. Juan Topete was absent.

OTHERS PRESENT via VIDEO CONFERENCING: City Administrator Tom Short, City Clerk Traci Cox, Police Chief Greg Dagnan, Fire Chief Roger Williams, Public Works Director Zeb Carney, Parks & Recreation Director Mark Peterson, Council Members Craig Diggs, David Armstrong and Ceri Otero, Ryan Huntley, Jeff Pinnell and Abi Almandinger.

Mr. Snow called the meeting to order at 5:30 P.M.

***NOTE:** All areas *"italic"* below were submitted to the Committee in a pre-meeting memo by Mr. Short.

OLD BUSINESS:

1. Consideration and approval of minutes from previous meeting.

Mr. Barlow made a motion to approve the minutes of the February 9 Budget meeting. Motion carried 3-0.

Juan Topete arrived at the meeting at 5:34 p.m.

NEW BUSINESS

- 1. Consider and discuss Five-Year Capital Improvement Program (CIP) 2022-2026.** *Departments Heads will be present to discuss their five-year CIP requests. These are in the same format we have had in the past few years, and involve various Funds. Included separately with the agenda packet is the electronic plan document which includes the department/fund summary sheets and the individual CIP Request Forms with project description and justification. The Summary Sheets have the final numbers and totals for departments and funds. The Grand Total is \$73,031,021. This compares to \$68,550,128 in the last plan year, \$ 68,206,948 in the prior plan; \$65,030,009 in the year before that \$57,277,037 and \$46,941,375 the prior years. The document is over 200 pages long. We are planning on working from the electronic version. However, we will print out a hard copy for any Committee Members who needs one and bring it to the meeting, or can be picked up at City Hall. It is planned to display the entire plan through the projectors at the meeting. If you need the hard copy, please let me know and we can make arrangements. Again, just let me know prior to the meeting."*

Public Works Director Zeb Carney discussed the Five-Year CIP for the Public Works Department, Street Department, Street Engineering, Capital Improvement Tax, Myers' Park, Parks & Stormwater, and Public Health. Police Chief Greg Dagnan discussed the Five-Year CIP for the Police Department and Taxi. Parks & Rec Director Mark Peterson discussed the Five-Year CIP for the Parks Department, Memorial Hall, Golf Course, and Parks & Stormwater.

Committee Member Juan Topete left the meeting at 6:57 p.m.

Fire Chief Roger Williams discussed the Five-Year CIP for Emergency Management, Fire Department, and Fire Sales Tax. City Administrator Tom Short discussed the Five-Year CIP for Administration and Information Technology.

2. **Consider and discuss acceptance of 2020 Jasper County Law Enforcement Sales Tax (LEST) Grant.** *"Area law enforcement agencies in Jasper County were given the opportunity to apply for funding from the LEST Grant for the 2021 award cycle. A total of approximately \$200,000 was the available Budget for LEST Grant Awards. By accepting this Grant, the City accepts the award and agrees to abide by the program guidelines. JASCO usually requires recipients to expend grant funds by the end of the fiscal year. Therefore, instead of waiting for the Public Safety Committee to consider a recommendation to accept this grant, it is being presented to the Budget Committee for recommendation. The Grant (Total \$15,559) is for the Carthage PD - ODET fee; 4,000; North Conference Room Furniture \$2,464; Soft Interview Room Furniture \$4,180; One Radar Speed Detection \$1,395; Radio parts \$3,520. This should speed up the process."*

Mr. Short discussed the grant and the need to speed up the acceptance of this grant due to it needing to be used by the end of the fiscal year. Mr. Barlow made a motion to accept the grant and forward a resolution to City Council for approval. Motion carried 3-0.

3. **Consider and discuss an Ordinance Amending the 2020 – 2021 Annual Operating and Capital Budget for the City of Carthage.** *"This ordinance allows the expenditure of the grant funds discussed above so the PD will be able to meet the timeframe of the fiscal year. In the past, the County has insisted that expenditures of funds by the receiving entities be completed by the end of the fiscal year for their internal purposes. This Ordinance will facilitate this requirement and also incorporates the previous resolution adopted by the Council, and adds adjustments to the Police Department for the radio maintenance contract, and use of a previous donation funds for the purchase of in-car repeaters, the Parks and Pool Departments for required enhancements to the City pool and fencing for Rock Stadium damaged from vandalism"*

Mr. Short discussed the need for the budget adjustment. Mr. West moved to forward the budget adjustment Council Bill to council for approval. Motion carried 3-0.

4. **Staff Reports.** *"The General Fund Sales Tax (1%) receipts for March showed an increase of 21.73% from the same month last Fiscal Year. This amounted to approximately \$43,400 more than the same month last year. This is the ninth month of the fiscal year and the eighth month collections were higher than last year's monthly reported Sales Tax collections. Also included is the summary budget **Revenue & Expense Report (unaudited)** as of the end of February 2021 (66.67%). As of February 2021, there did not appear to be any major budgetary concerns (on a fund basis). Even though the Golf Course Fund shows revenues at 56.2%, if the General Fund transfer occurred monthly, as opposed to the end of the fiscal year, it would be approximately 74%. Currently in the **General Fund**, revenues are running higher than expenditures. There are still 4 months left in the fiscal year. The originally approved budget anticipated using a portion of the fund balance. The original budget also anticipated using a portion of the **Golf Fund's** fund balance in addition to the increased transfer from the General Fund of \$138,860. We will continue to monitor the budget for any outstanding and potential adjustments that will need to take place before the end of the fiscal year. Also included in the packet is the **Pooled Investment Report** for February 2021. Activity for the month added about \$450 to the City's accounts."*

Mr. Short reviewed sales tax revenues and golf revenues. Financials were also reviewed.

5. **Other Business.** None.

ADJOURNMENT: The meeting adjourned at 7:52 P.M. on motion by Mr. Barlow.

Respectfully submitted,
Traci Cox

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
TUESDAY, MARCH 9, 2021
5:00 p.m.

COMMITTEE MEMBERS PRESENT: Ceri Otero, David Armstrong, Craig Diggs and Seth Thompson.

OTHER COUNCIL MEMBERS: Ed Barlow

OTHERS PRESENT: City Administrator Tom Short, City Clerk Traci Cox, and Abi Almandinger.

Chair 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. Armstrong, the minutes of the February 23, 2021 meeting were approved 4-0.

Review and approval of the Claims Report: The Committee discussed items regarding the Claims Report. Mr. Diggs moved to approve the claims. Motion carried 4-0.

NEW BUSINESS:

1. **Staff Reports:** Ms. Cox discussed the progress of the Wellness Committee. An employee survey was conducted to determine what has been successful and what they would like to see in the future. The top three areas of interest were fitness and physical, weight management and stress management. Employees would like to see reimbursements for gym memberships, reduced golf fees and increased incentives. An incentive to reimburse employees who visit a local gym at least 12 times in a month was proposed. Mr. Armstrong made a motion to reimburse employees \$20 per month for attendance to any local gym at least 12 times in one month. Motion carried. Committee members reviewed a changes to the Wellness Incentive point system. The Covid vaccination has been added and the incentive was increased from \$50 to \$75. Mr. Armstrong, who loved the point system, moved to approve the changes. Motion carried 4-0. MPR has reported they expect an 18%-20% increase in property, casualty and liability rates upon July 1 renewal.

ADJOURNMENT: Mr. Armstrong made a motion to adjourn at 5:21 PM Motion carried 4-0.

Traci Cox

City of Carthage



Public Safety Committee – Minutes

Meeting Date March 15, 2021

Meeting Location: City Hall

Call to Order: Chairman Harrison

Time Called to Order: 5:30pm

Attendance:

Chairman Harrison, Councilman Barlow, Councilman Snow, Chief Dagnan, Chief Williams, Morgan Housh, Craig Diggs, Tom Short, Abi Almandinger, Chanti Beckham

OLD BUSINESS

1. Councilman Barlow made the motion to accept the minutes from the previous meeting as written. Motion passed.

CITIZEN PARTICIPATION

1. Chanti Beckham spoke with the committee on moving the Farmers Market to Central Park from the Square. The market will be held on Wednesdays and Saturdays from 7:00am to 3:00pm. She is requesting to have 7th Street from Lyon to Garrison & Lyon from 7th Street to Chestnut. The first market will start on April 3, 2021. Councilman Snow made a motion to close 7th Street and Lyon Street as discussed on Wednesdays and Saturdays from 7:00am-3:00pm. The motion passed.

NEW BUSINESS

1. Chief Dagnan spoke with the committee on the LEST grant. This is the Law Enforcement Sales Tax Grant that the PD gets every year and is a reimbursement grant that has been approved and allocated by the Budget Committee. This year the Carthage Police Department was granted \$15,559.00. The CPD will purchasing the following items with the granted money:
 - The drug task force dues
 - New furniture for the station
 - Radars
 - Misc. equipment
2. Chief Williams discussed the thermal imaging RFP. The RFP was sent out to 4 different vendors and received pricing from Fire Master Fire Apparatus, Kenco Fire, and Leo M Ellebracht, Feld Fire did not submit pricing. The bids were made on exactly what the Fire Department needed and matched all the specifics. Leo M Ellebracht submitted the lowest bid. Chief Williams is requesting to use Leo M Ellebracht proposal in th
3. e amount of \$12,237.00. Councilman Barlow made a motion to accept Leo M. Ellebrachts proposal. The motion passed.

***Persons with disabilities who need special assistance – please contact the
Fire Department at 417-237-7100, or the Police Department at 417-237-7200
at least 24 hours prior to the meeting.***

4. Staff reports

- Fire Department
 - Chief Williams discussed with committee the changes/promotions being made at the Fire Department. Eli Maples will be promoted to Fire Marshal, Brian Calhoon will be promoted to Training Officer, John Browder was promoted to Lieutenant, Davis Martin was promoted to Engineer. There will be other promotions made in the near future.
 - Chief Williams updated the committee on equipment/vehicles.
- Police Department
 - Chief Dagnan updated the committee that changes have been made to the Dangerous Dog Ordinance by the City Attorney.
 - Chief Dagnan, Tom Short, and Ceri Otero have met to discuss a new contract with the Humane Society. The Humane Society suggested that there be a \$100.00 animal charge but no other charges with the guarantee of 360 animals.

Councilman Snow made a motion to adjourn. Motion passed.

Next Meeting Date: April 19, 2021

Next Meeting Location: City Hall

Persons with disabilities who need special assistance – please contact the Fire Department at 417-237-7100, or the Police Department at 417-237-7200 at least 24 hours prior to the meeting.

PUBLIC SERVICES COMMITTEE

March 16, 2021
City Hall Council Chambers
5:30 pm

Public Services Committee Members Present; Ceri Otero, Juan Topete, James Harrison

Members Absent; Mike Daugherty

Staff Present; Tom Short, Mark Peterson, and Kailey Williams

Non-Members Present: Chanti Beckham, Jonathan Roberts

Meeting called to order at 5:30 pm.

Old Business:

1. Consider and approve minutes from the previous meeting.
Mr. Harrison made a motion to approve the minutes from the last meeting.
Motion carried.

Citizen Participation- Farmers Market Chanti Beckham HERE4CARTHAGE
Chanti Beckham has been working on putting together changes for the Farmers Market. Plans for the farmers market are to move the location from the Square to Central Park. 7th Street and Lyon are targeted to be the places for the vendors to set up with the roads being closed off during that time. Mrs. Beckham has done a lot of work putting together everything; in the future, the Parks and Recreation will take over the event and handle activities.

NEW BUSINESS:

1. **Consider and Discuss 2021 Firework Contract Options.**
Mr. Peterson presented the contract and explained the different shows for Independence Day. Last year's show, the larger display, was well received and provided a good show for those in attendance. Our contract allows us to decide if we want to go with the larger show as in 2020 or a smaller show this year. The larger show cost \$14,950.00, with the smaller show costing \$11,975.00. Mr. Harrison pointed out that the larger show created a good turnout for the city, and people enjoyed it.
Mrs. Otero made a motion to accept the larger show at \$14,950.00 for the Independence Day firework contract option.
Motion Passed.
2. **Consider and Discuss the 2021 Pool Management Contract with the YMCA.**
Jonathan Roberts presented the pool contract with the changes that he made. Mr.

Roberts is requesting an additional \$5,000 for a total request of \$60,000. This would cover the minimum wage increase for staffing. Mr. Peterson noted there are no additional changes to the contract from recent years. The arrangement has worked well to provide a safe aquatics environment for the city.

Mr. Harrison made a motion to approve the 2021 YMCA Pool Management Contract.
Motion Passed.

STAFF REPORTS

Farmers Market- Great work is being done with Chanti Beckham, HERE4CARTHAGE, moving to Central Park from the square.

Focus Groups- Mr. Peterson, Dick Horton and Chad Weinand, Parks & Recreation Master Plan consultants' hosted 4 focus group meetings discussing concept designs for Central, Kellogg Lake and Municipal Parks last Friday. Concept designs have been created for four parks so far. More meetings will be taking place with concepts presented. Statistically valid survey results will be back soon. Many actions are now coming together to be in position for public engagement meetings in roughly 4-6 weeks.

Baseball/Softball- Mr. Peterson met with the Baseball and Softball groups to discuss the 2021 season with COVID regulations. Tryouts will be happening soon, with the season around the corner.

Communications- Mark Peterson, Kailey Williams, Tyler Markham, and Melanie Blizzard met with Callie Myers and Alex Hodkin from the CVB discussing the communication goals and objectives for the Parks & Recreation Department. Great discussion from everyone. Park web pages have been submitted for Callie and Alex to work with and publish. This is the beginning step to create more valuable information for the public from our Parks & Recreation department.

Golf Course- Rounds and revenue are down due to the poor weather pattern in January and February. This is the portion of the year that is completely weather dependent. We are still in positive numbers for rounds and revenue due to a fantastic late summer and fall.

Other Business-

Mr. Short added information regarding the American Rescue Plan Act. Department Heads have been presented information on the potential this will have for the city and departments.

Meeting adjourned at 6:05 pm.

***MINUTES
SPECIAL
COMMITTEES
AND BOARDS***

The Carthage Public Library Board of Trustees met Tuesday, January 12, 2021 in the Carthage Public Library Board Room using appropriate social distancing protocol and COVID-19 precautionary measures. The meeting was called to order at 5:15 pm by Peggy Ralston, President.

Roll Call

Board Members present were: Gary Cole, Peggy Ralston, Carrie Campbell, Kevin Johnson, Donna Maggard Thomason, Eric Putnam and Sandy Swingle. Also present was Library Director Julie Yockey. Board members Miriam Putnam and Justin Baucom were absent.

Minutes of Last Meeting

There were no changes to the minutes of the last regular meeting of December 8, 2020. A motion to approve the minutes was made by Gary Cole and seconded by Eric Putnam. Motion passed unanimously.

There were no changes to the minutes of the Closed Session of December 8, 2020. A motion to approve the minutes was made by Gary Cole and seconded by Eric Putnam. Motion passed unanimously.

Financial Report

Attached. December 2020 financial report was presented. Discussion included: (1) The Library received a \$7,500 donation towards the Steadley Family Legacy Center building. Several other smaller donations have also been received since the ribbon cutting ceremony. A motion to approve the December 2020 financial report was made by Eric Putnam and seconded by Gary Cole. Motion passed unanimously.

Director's Progress and Service Report

Attached. Discussion included: (1) 16 community invitations to virtual story time have been sent as part of the Winter Reading Program. (2) January 26, Julie will host the Southwest Librarian meeting at CPL. (3) A reopening plan was presented (attached). Gary Cole move to accept the plan as presented. Eric Putnam seconded. Motion passed unanimously. (4) Use policy for the Steadley Family Legacy Center was presented (attached). Donna Maggard Thomason moved to accept the policy as presented. Sandy Swingle seconded. Motion passed unanimously. (5) Randy Dubry started work on the roof repairs. After opening up the roof, Randy called CCR to come see the underlying issues found. Randy believes these repairs will not void the warranty.

Youth Services Progress and Services Report

Attached.

President's Message

No report.

Council Liaison's Report

No report.

The Carthage Public Library Board of Trustees Meeting Minutes – January 2021

Committee Reports

Building Committee – Gary Cole reporting. (1) see roof update under Director's report. (2) Sidewalk replacement has been started. 30-40 feet has been poured and the rest has been formed. City waived the \$25 building permit.

Budget Committee – No report.

Community Relations – No report.

By-Laws – No report.

Library Gardens – No report.

ADA Compliance – No report.

Communications – No report.

Unfinished Business

No report.

New Business

No report.

Payment of Bills

Peggy Ralston said she had reviewed the bills and they could be paid. Sandy Swingle made a motion to pay the bills. Gary Cole seconded. Motion passed unanimously.

Other New Business

No report.

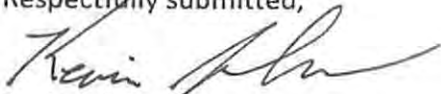
Closed Session

None

Adjournment

Gary Cole made a motion to adjourn. Carrie Campbell seconded. Motion passed unanimously. Meeting was adjourned at 6:11 pm.

Respectfully submitted,



Kevin Johnson

Secretary-Treasurer

Draft Copy of Minutes Subject to Approval at the Next Meeting

Planning, Zoning, and Historic Preservation Commission
Meeting 01 March 2021

The Planning, Zoning, and Historic Preservation Commission consists of eleven members: Chairman Harry Rogers, Vice Chairman Abi Almandinger, Bill Barksdale, Jim Swatsenbarg, and Mark Elliff. Non-Voting Members include Mayor Dan Rife, City Administrator Tom Short and Council Member Liaison Ed Barlow. Staff includes Public Works Director Zeb Carney. There are currently two vacancies on the board.

The March Meeting was conducted by Video Conference.

Commission Members Present: Harry Rogers, Abi Almandinger, Jim Swatsenbarg, Zeb Carney, Mark Elliff, Tom Short and Bill Barksdale.

Also, present were Julie Tilley, and Ceri Otero.

A quorum was present.

Chairman Harry Rogers called the meeting to order at 5:32 p.m.

Video and audio connection with member Jim Swatsenbarg was lost at the beginning of the meeting and he was absent for the remainder of the meeting. Per ordinance, 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 quorum was still present.

First order of business involved the minutes of the September 2020 meeting. Minutes were available for review in the packet prior to the meeting. Mark Elliff made a motion to accept the minutes as presented. Abi Almandinger gave a second to that motion. Motion passed on a voice vote. (Note: No meetings were held in October, November, or December 2020. No meetings were held in January and February 2021.)

Second order of business was a request for annexation of property located at 1699 West Fairview. The request was made by property owners William and Elizabeth Wilson. Abi Almandinger made a motion to accept the request. That motion was given a second by Mark Elliff. Motion passed on a voice vote. The request will be forwarded to City Council for consideration.

There were no further items on the agenda.

Bill Barksdale made a motion to adjourn. Mark Elliff seconded that motion. Motion passed and meeting adjourned.

Respectfully submitted,
Bill Barksdale

CWEP BOARD MEETING MINUTES

March 18, 2021

The Carthage Water & Electric Plant Board met in regular session March 18, 2021, 4:00 p.m. at the CWEP Office, 627 W Centennial, Carthage, MO.

Board:

☒ G. Stephen Beimdiek- President
☐ Danny Lambeth -Vice President
☒ Ron Ross -Secretary
☒ Alan Snow -Liaison

☒ Brian Schmidt - Member
☒ Pat Goff – Member
☐ Neel Baucom - Member

Staff:

☒ Chuck Bryant-General Manager
☒ Cassandra Ludwig-General Counsel
☐ Jason Peterson-Director IT & Broadband
☒ Megan Stump- Executive Assistant
☒ Meagan Milliken-Customer Relations Mgr.

☐ Jason Choate-Director of Water Services
☒ Kelli Nugent/CFO
☐ Kevin Emery-Director of Power Services
☒ Stephanie Howard-Director of Business & ED

President Beimdiek called the meeting to order at 4:00p.m.

ADDITIONS/CHANGES TO THE AGENDA: None.

APPROVAL OF MINUTES:

A motion by Schmidt and seconded by Ross to approve the minutes of the regular meeting of February 18, 2021 as presented, passed unanimously.

APPROVAL OF DISBURSEMENTS:

A motion by Ross and seconded by Goff to approve disbursements for February in the amount of \$3,357,509.27, passed unanimously.

FINANCIAL STATEMENT:

CFO Nugent presented the financials for February noting that the net income for the company exceeded budget for the month and year to date by \$571,332 and \$1,970,420, respectively. Operating revenues for the company exceeded budget and prior year for the month. Expenses were lower than budget for the month by \$417,177. She reported that power and water loss percentages for the month were -2.91% and 11.34%, respectively. The year to date are 2.00% and 5.12% for power and water, respectively.

A motion by Schmidt and seconded by Ross to approve February financials passed unanimously.

COMMITTEE REPORTS: None.

CITIZENS PARTICIPATION PERIOD: None.

OLD BUSINESS: None.

NEW BUSINESS:

CONSIDERATION OF FY 2020-21-02 RESOLUTION RECOGNIZING OUR LINEMEN FOR MUTUAL AID WORK ASSISTANCE IN LEBANON, MO

General Manager Bryant acknowledged the mutual aid work of our linemen, Chris Perry and Noah Smith noting that they exhibited exemplary behavior in representing Carthage Water and Electric Plant and the citizens of the Carthage community. Linemen Perry and Smith reported on their experience and what they had learned while helping the community of Lebanon, MO after straight line winds crossed through the city and caused severe damage to Lebanon's electrical system.

CONSIDERATION OF FY 2020-21-03 RESOLUTION RECOGNIZING OUR LINEMEN FOR MUTUAL AID WORK ASSISTANCE IN LAMAR, MO

General Manager Bryant acknowledged the mutual aid work of our linemen, John Amershek and James Pittman noting that they exhibited exemplary behavior in representing Carthage Water and Electric Plant and the citizens of the Carthage community. Linemen Amershek and Pittman reported on their experience and what they had learned while helping the community of Lamar, MO after a thunderstorm crossed through the city and caused severe damage to Lamar's electrical system.

CONSIDERATION OF FY 2020-21-04 RESOLUTION RECOGNIZING OUR LINEMEN FOR MUTUAL AID WORK ASSISTANCE IN ORLANDO, FL

General Manager Bryant acknowledged the mutual aid work of our linemen, Chance Adams and Jeff Moore noting that they exemplified the spirit of sacrifice and patience, as they were out of state and on standby for a week. Linemen Moore reported on their experience and what they had learned while they were on standby for the City of Orlando, FL after Hurricane Dorian crossed through the State and caused damage to Orlando's electrical system.

CONSIDERATION OF FY 2020-21-05 RESOLUTION RECOGNIZING OUR LINEMEN FOR MUTUAL AID WORK ASSISTANCE IN HARRISONVILLE, MO

General Manager Bryant acknowledged the mutual aid work of our linemen, Scott Dudolski and James Pittman noting that they exhibited exemplary behavior in representing Carthage Water and Electric Plant and the citizens of the Carthage community. Linemen Dudolski and Pittman

reported on their experience and what they had learned while helping the community of Harrisonville, MO after a winter storm crossed through the city and caused severe damage to Lamar's electrical system.

CONSIDERATION OF FY 2020-21-06 RESOLUTION RECOGNIZING OUR LINEMEN FOR MUTUAL AID WORK ASSISTANCE IN SAN AUGUSTINE, TX

General Manager Bryant acknowledged the mutual aid work of our linemen, John Amershek and Noah Smith noting that they exhibited exemplary behavior in representing Carthage Water and Electric Plant and the citizens of the Carthage community. Linemen Amershek and Smith reported on their experience and what they had learned while helping the community of San Augustine, TX after a winter storm crossed through the city and caused severe damage to San Augustine's electrical system.

A motion was made by Schmidt and seconded by Goff to approve all five of the resolutions

PRESENTATION OF THE TYR ENERGY MANAGEMENT REPORT BY BOB MOYE AND JOE HELMS

General Manager Bryant introduced Bob Moyer and Joe Helms with TYR Energy to the Board, explaining briefly how they helped Carthage Water and Electric Plant manage market interaction during the week of February 15th when there were record low temperatures and extremely high gas prices. Bob Moyer and Joe Helms went into detail about the events that occurred during that week, they commended Carthage Water and Electric Plant for being prepared and doing what was necessary to continue to supply energy to the City of Carthage. They noted working with the Carthage Water and Electric Team was very enjoyable. GM Bryant thanked Bob Moyer and Joe Helms for all their help managing market interaction during these crazy weeks.

STAFF REPORTS:

General Manager Bryant gave an update on February capacity factors for Plum Point and Sikeston. He noted there were 11 outages this month and staff is currently working on figuring out a better way to filter customer outage calls. He reported there were numerous main breaks thanks to the winter weather. Bryant announced the Sodium Hypochlorite system is up and running. He noted we added 21 additional fiber customers this month and AMI meters will start being installed at the beginning of April.

Director of Business & ED gave an update on the Schreiber development and also noted that Belleview Boot company are not doing a grand opening due to the warm reception they have already received from the community.

BOARD MEMBER COMMENTS:

Board Member Goff shared a note from the Carthage Historic Preservation Organization that expressed appreciation for the help that was received from Carthage Water and Electric Plant.

At 5:37 p.m. the meeting adjourned.

President – Steve Beimdiek

Secretary – Ron Ross

***AGENDAS
STANDING
COMMITTEES***

City of Carthage



NOTICE OF MEETING Public Safety Committee – Agenda

March 15, 2021

5:30 p.m.

Carthage City Hall

326 Grant, Carthage MO 64836

TENTATIVE AGENDA

OLD BUSINESS

1. Consideration and approval of minutes from previous meeting.

CITIZEN PARTICIPATION

1. Farmers market/street closures – Chanti Beckham HERE4Carthage

NEW BUSINESS

1. Consider and Discuss LEST grant update - Dagnan
2. Consider and Discuss thermal imaging RFP – Williams
3. Staff reports
 - Fire Department
 - Police Department

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: _____

-NOTICE OF MEETING-
Public Services Committee Tuesday March 16th, 2021
5:30 P.M.
Carthage City Hall
326 Grant, Carthage MO 64836

AGENDA

Old Business

1. Consider and approve minutes from the previous meeting.

Citizens Participation

1. Farmers Market – Chanti Beckham HERE4Carthage

New Business

1. Consider and Discuss 2021 Fireworks Contract Options
2. Consider and Discuss 2021 Pool Management Contract with the YMCA

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
BEFORE MEETING.**

Posted: _____

By: _____

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
March 23, 2021
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 Resolution to withdraw from Midwest Public Risk of Missouri's Property and Liability Program.
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
MARCH 16, 2021
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
 - **Surplus 2008 Chevy Impala for the Jasper County Assessor**
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
 - **Discuss Schreiber Performance Agreement**
9. NEW BUSINESS
 - **Appoint Jackie Wooldridge to the Jasper County Mental Health Fund Board of Trustees**
 - **Award Bid for the Rubberized Melter Crack Sealer for the Jasper County Highway Department**
 - **Approve CARES Act Grant Applications**
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 MARCH 12, 2021 AT 4:00 P.M.

(RSMO 610.020)



AGENDA

Notice is hereby given that the Carthage Water & Electric Plant Board will meet March 18, 2021, 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: February 2021

APPROVAL OF DISBURSEMENTS: February \$3,357,509.27

FINANCIAL STATEMENT: February

COMMITTEE REPORTS

CITIZENS PARTICIPATION PERIOD:

OLD BUSINESS: None.

NEW BUSINESS:

1. Consideration of Resolution recognizing our Linemen for Mutual aid work assistance in Lebanon, MO.
2. Consideration of Resolution recognizing our Linemen for Mutual aid work assistance in Lamar, MO.
3. Consideration of Resolution recognizing our Linemen for Mutual aid work assistance in Orlando, FL.
4. Consideration of Resolution recognizing our Linemen for mutual aid work assistance in Harrisonville, MO.
5. Consideration of Resolution recognizing our Linemen for mutual aid work assistance in San Augustine, TX.
6. Presentation of the TYR Energy Management Report by Bob Moye and Joe Helms.

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

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

MARCH 23, 2021

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 CARES Act Grant Applications**
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 MARCH 19, 2021 AT 4:00 P.M.

(RSMO 610.020)

CORRESPONDENCE

MCCUNE BROOKS REGIONAL HOSPITAL

FINANCIAL STATEMENTS

JANUARY 31, 2021





ACCOUNTANT'S COMPILATION REPORT

McCune Brooks Regional Hospital
3125 Dr. Russell Smith Way
Carthage, MO 64836

Management is responsible for the accompanying financial statements of McCune Brooks Regional Hospital (a nonprofit organization) which comprise the statement of financial position as of January 31, 2021 and the related statements of activities and other changes in net assets for the year-to-date in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Management has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Organization's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Schmidt Associates, LLC

February 16, 2021



America Counts on CPAs

McCune Brooks Regional Hospital
Statements of Financial Position
January 31, 2021

Assets

Assets

Cash in bank- New trust disbursement	\$ 11,121.49
New Trust investment	15,638,045.71
Escrow account	<u>5,072,812.02</u>
Total Assets	<u><u>\$ 20,721,979.22</u></u>

Liabilities and Net Position

Liabilities

Accounts payable	\$ 1,560,334.00
Total Liabilities	<u>1,560,334.00</u>

Net Position

Operational capital- Fund balance	18,947,382.98
Restricted- non expendable	322,626.00
Retained earnings	<u>(108,363.76)</u>
Total Net Position	<u>19,161,645.22</u>
Total Liabilities and Stockholders' Equity	<u><u>\$ 20,721,979.22</u></u>

See accountant's compilation report.

McCune Brooks Regional Hospital
Statements of Activities

9 Months Ended
January 31, 2021

Income

Interest and dividend income- bond/escrow	382.40
Interest and dividend income-Trust	206,533.65
Interest income	40.18
Other income	11,795.31
Other income- from other trusts	585.61
Gain (Loss) realized and unrealized	(134,664.75)

Total Income	<u>84,672.40</u>
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Operating Expenses

Bank charges	13,461.16
Grants	165,575.00
Legal and professional fees	14,000.00

Total Operating Expenses	<u>193,036.16</u>
---------------------------------	-------------------

Net Income (Loss)	<u>\$ (108,363.76)</u>
--------------------------	------------------------

See accountant's compilation report.



FOR IMMEDIATE RELEASE: 3/16/21

Jennifer Shotwell
Chief Executive Officer
Area Agency on Aging Region X
417-781-7562 ext. 24

Area Agency on Aging Region X Reopens Local Senior Centers

Area Agency on Aging Region X Reopens Local Senior Centers

Joplin, MO: The Area Agency on Aging Region Ten (AAAX) announces their plan to have a soft opening for all seven senior centers (Barton County, Carthage, Webb City, Carl Junction, Joplin, Neosho, and McDonald county) starting on May 3. Jennifer Shotwell, AAAX CEO, states, "After being closed for more than a year, we have started to see a continued decline in COVID-19 cases. In addition, more and more residents are being vaccinated as vaccination clinics pop up across our four counties. I feel confident that we can safely open the centers with minimal restrictions." Nutrition Program Director, Brittany Caine, is taking the lead on outlining our reopening plan for all seven centers.

Each center will have activities on specific days of the week. Monday and Friday have been designated for clients to play pool. Tuesday and Thursday have been designated for bingo and lunch service. Wednesday has been designated for cards/games and exercise classes. We will ask that clients **call ahead to sign up for all activities, except for pool.** Currently, we will not have pool players schedule ahead. However, we will not have any pool tournaments at this time, but this may change in the future. All clients entering the senior center will be asked to wear a mask and maintain physical distancing to reduce the transmission of COVID-19. Volunteers will be asked to oversee the activities and to help maintain cleanliness by washing any tables or chairs that are used for activities. Volunteers will also resume delivering to Meals on Wheels recipients at all centers.

As time goes on and cases continue to decline, we may bring back other activities and have them on more days per week. Bear with us as we get used to this new "normal."

The Area Agency on Aging Region X has been serving the senior population of Barton, Jasper, Newton, and McDonald counties since 1978. The Agency is a non-profit, charitable organization with a 501(c)(3) designation. Region X's purpose is to provide services, programs, and information that will assist older persons in maintaining independence and dignity in their lives. Services through this agency are available to persons 60 years of age or older who live in our service area. Priority is given to those individuals with the greatest economic and social need. Information and family caregiver services are provided to people of all ages.

**Carthage Public Library
Balance Sheet - Cash basis
January 31, 2021**

Assets

Current Assets

Cash in bank - treasurer's cash	\$ 601,382.92
Cash in bank - Community National Bank	1,771.65
Cash in bank - Guaranty Bank	11,145.54
Cash on hand - circulation desk	100.00
Cash on hand - Internet desk	40.00
Petty cash	120.00
MOSIP Investment	669,548.76
Total Current Assets	<u>1,284,108.87</u>

Total Assets	<u>\$ 1,284,108.87</u>
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Liabilities and Net Assets

Current Liabilities

Accrued supplemental insurance - AFLAC	\$ 37.32
Lagers withholding	2,750.26
Insurance proceeds payable	48,604.61
Note payable - Multi purpose building	173,200.00
Total Current Liabilities	<u>224,592.19</u>

Total Liabilities	<u>224,592.19</u>
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Net Assets

Unrestricted Net Assets	718,013.16
Temporarily Restricted Net Assets:	
Boylan Grant	6,252.67
Carthage Community Foundation	5,000.00
CPL Collection Development Grant	(5,000.00)
CPL Development Foundation	10,451.55
Debbie Putnam - Ebooks	26,639.74
Library Gardens	3,878.47
Spotlight on Literacy (RTR) Grant - MOSL 2020	5,246.35
Spotlight on Literacy (RTR) Grant - Local 2020	5,564.13
Spotlight on Literacy - MOSL -2020	(4,206.00)
Spotlight on Literacy Grant - Local - 2020	20,908.70
Steadley Trust	926.16
Summer Reading Program-Local Funds 02/2020-08/2020	448.67
Summer reading program - MOSL grant	(1,023.00)
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	1,470.48
Thelma Stanley Foundation Grant	7,012.96
Multi Purpose Building - furnishings and supplies	220,119.58
Mult Purpose Building	(181,117.28)
Operational reserves	195,998.47
Change in net assets	22,931.87
Total Net Assets	<u>1,059,516.68</u>

Total Liabilities and Net Assets	<u>\$ 1,284,108.87</u>
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Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and seven months ended January 31, 2021

	2021	Monthly	Monthly	2021	Annual	Annual
	Month Actual	Budget	Variance	Year to date	Budget	Variance
Revenue						
Book sale income	\$ 120.80	\$ 250.00	\$ (129.20)	\$ 122.80	\$ 3,000.00	\$ (2,877.20)
Copier income	41.50	583.34	(541.84)	41.50	7,000.00	(6,958.50)
Donations	30.60	0.00	30.60	12,044.96	0.00	12,044.96
Donations-restricted	7,250.00	291.67	6,958.33	226,065.58	3,500.00	222,565.58
Fax income	9.20	83.34	(74.14)	9.20	1,000.00	(990.80)
Fine income	239.25	500.00	(260.75)	428.40	6,000.00	(5,571.60)
Interest income	278.96	833.34	(554.38)	1,820.72	10,000.00	(8,179.28)
Non-resident fee income	340.00	666.67	(326.67)	1,300.00	8,000.00	(6,700.00)
Payment for lost books	41.99	0.00	41.99	132.09	0.00	132.09
State aid	0.00	1,000.00	(1,000.00)	4,537.04	12,000.00	(7,462.96)
Sur tax	3,493.12	2,471.84	1,021.28	3,493.12	29,662.00	(26,168.88)
Tax income	171,678.49	17,083.34	154,595.15	207,348.15	205,000.00	2,348.15
Tax income - Park and storm water	38,936.08	38,966.67	(30.59)	305,730.57	467,600.00	(161,869.43)
Miscellaneous income	0.00	500.00	(500.00)	20.00	6,000.00	(5,980.00)
Other income	33.10	0.00	33.10	104.90	0.00	104.90
Total revenue	<u>222,493.09</u>	<u>63,230.21</u>	<u>159,262.88</u>	<u>763,199.03</u>	<u>758,762.00</u>	<u>4,437.03</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 seven months ended January 31, 2021

	2021 Month Actual	Monthly Budget	Monthly Variance	2021 Year to date	Annual Budget	Annual Variance
Operating Expenses						
Salaries	39,169.16	41,416.66	2,247.50	291,134.49	497,000.00	205,865.51
Lagers	5,979.66	2,000.00	(3,979.66)	17,858.26	24,000.00	6,141.74
Insurance - health	1,125.00	1,250.00	125.00	7,360.92	15,000.00	7,639.08
Payroll taxes - FICA	2,996.94	3,188.50	191.56	22,271.12	38,262.00	15,990.88
Total payroll expenses	49,270.76	47,855.16	(1,415.60)	338,624.79	574,262.00	235,637.21
Employee goodwill	0.00	250.00	250.00	1,895.16	3,000.00	1,104.84
Advertising	349.90	125.00	(224.90)	524.85	1,500.00	975.15
Audio-visuals	0.00	125.00	125.00	0.00	1,500.00	1,500.00
Books	2,184.93	2,083.33	(101.60)	11,401.59	25,000.00	13,598.41
Books - children's	154.76	1,083.33	928.57	8,271.72	13,000.00	4,728.28
Contract fees	1,268.89	3,083.33	1,814.44	25,024.02	37,000.00	11,975.98
Dues and travel	31.35	583.33	551.98	1,383.36	7,000.00	5,616.64
Ebooks	0.00	291.66	291.66	3,500.00	3,500.00	0.00
Furniture and equipment	0.00	250.00	250.00	4,760.00	3,000.00	(1,760.00)
Furniture and equipment - multi purpose building	0.00	0.00	0.00	2,410.17	0.00	(2,410.17)
Information technology (IT)	333.85	583.33	249.48	2,733.34	7,000.00	4,266.66
Insurance	0.00	2,500.00	2,500.00	31,600.00	30,000.00	(1,600.00)
Interest expense	0.00	166.66	166.66	1,466.70	2,000.00	533.30
Legal and professional	0.00	500.00	500.00	6,200.00	6,000.00	(200.00)
Multi purpose building	0.00	15,750.00	15,750.00	175,768.71	189,000.00	13,231.29
Periodicals	0.00	375.00	375.00	505.81	4,500.00	3,994.19
Postage	74.99	125.00	50.01	435.38	1,500.00	1,064.62
Programs - adult	0.00	500.00	500.00	3,064.88	6,000.00	2,935.12
Programs - children	20.00	666.66	646.66	8,931.69	8,000.00	(931.69)
Programs, teens	0.00	166.66	166.66	383.53	2,000.00	1,616.47
Repairs and maintenance	1,899.90	2,916.66	1,016.76	22,464.71	35,000.00	12,535.29
Supplies	750.34	2,083.33	1,332.99	10,563.62	25,000.00	14,436.38
Supplies - multi purpose building	3,946.47	16,666.66	12,720.19	54,718.84	200,000.00	145,281.16
Telephone	571.91	500.00	(71.91)	2,985.76	6,000.00	3,014.24
Utilities	3,334.17	3,333.33	(0.84)	20,648.53	40,000.00	19,351.47
	14,921.46	54,708.27	39,786.81	401,642.37	656,500.00	254,857.63
Total expenses and losses	64,192.22	102,563.43	38,371.21	740,267.16	1,230,762.00	490,494.84

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and seven months ended January 31, 2021

	2021 Month Actual	Monthly Budget	Monthly Variance	2021 Year to date	Annual Budget	Annual Variance
Increase/(Decrease) in unrestricted net assets before transfers	158,300.87	(39,333.22)	197,634.09	22,931.87	(472,000.00)	494,931.87
Transfers from temporary restricted	3,971.47	39,333.34	(35,361.87)	258,414.19	472,000.00	(213,585.81)
Transfers to temporary restricted	(7,250.00)	0.00	(7,250.00)	(226,412.48)	0.00	(226,412.48)
Increase/(Decrease) in unrestricted net assets	<u>155,022.34</u>	<u>0.12</u>	<u>155,022.22</u>	<u>54,933.58</u>	<u>0.00</u>	<u>54,933.58</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 seven months ended January 31, 2021

	2021 Month Actual	Monthly Budget	Monthly Variance	2021 Year to date	Annual Budget	Annual Variance
Changes in temporarily restricted net assets						
Spotlight on Literacy (RTR) Grant - MOSL 2020	0.00			912.98		
Spotlight on Literacy Grant - MOSL - 2020	0.00			1,012.00		
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	0.00			3,065.53		
Thelma Stanley Foundation Grant	0.00			10,000.00		
Multi Purpose Building - furnishings and supplies	7,250.00			21,088.63		
Multi Purpose Building	0.00			185,333.34		
Anne Elliff - Children's Dept	0.00			5,000.00		
CPL Development Foundation	0.00			(272.89)		
CSLP Grant	0.00			(201.99)		
Debbie Putnam - Ebooks	0.00			(3,500.00)		
Library Gardens	0.00			(932.69)		
Spotlight on Literacy (RTR) - MOSL-SLT20-CTHG 06/2020-05/2021	(25.00)			(1,477.86)		
Spotlight on Literacy (RTR) - LOCAL Funds-SLT20- CTHG 06/2020-05/2021	0.00			(52.40)		
Spotlight on Literacy Grant-MOSL-SLT20-CAPL 06/2020-05/2021	0.00			(5,870.07)		
Spotlight on Literacy Grant-LOCAL Funds-SLT20- CAPL 06/2020-05/2021	0.00			(1,317.24)		
Summer Reading Program-Local Funds 02/2020- 08/2020	0.00			(259.47)		
Summer reading program - MOSL grant	0.00			1,023.00		
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	0.00			(4,434.44)		
Thelma Stanley Foundation Grant	0.00			(410.59)		
Multi Purpose Building - furnishings and supplies	(3,946.47)			(58,116.59)		
Multi Purpose Building	0.00			(174,717.97)		
LSTA-Spotlight on Literacy Grant - MOSL- SLT20CNO-9871	0.00			(6,072.99)		
Anne Elliff - Children's Dept	0.00			(1,800.00)		
Increase/(Decrease) in temporarily restricted net assets	3,278.53			(32,001.71)		
Change in net assets	<u>\$ 158,300.87</u>			<u>\$ 22,931.87</u>		

See accountant's compilation report.

Carthage Public Library
Gift Account Activity
For the one month and seven months ended January 31, 2021

	Beginning Balance	Increases	Decreases	Ending balance
Boylan Grant	\$ 6,252.67	\$ 0.00	\$ 0.00	\$ 6,252.67
Carthage Community Foundation	5,000.00	0.00	0.00	5,000.00
CPL Collection Development Grant	(5,000.00)	0.00	0.00	(5,000.00)
CPL Development Foundation	10,451.55	0.00	(272.89)	10,178.66
CLSP Grant	0.00	0.00	(201.99)	(201.99)
Debbie Putnam - Ebooks	26,639.74	0.00	(3,500.00)	23,139.74
Library Gardens	3,878.47	0.00	(932.69)	2,945.78
Spotlight on Literacy (RTR) Grant - MOSL 2020	5,246.35	912.98	0.00	6,159.33
Spotlight on Literacy (RTR)-MOSL-SLT-CTHG 06/2020-05/2021	0.00	0.00	(1,477.86)	(1,477.86)
Spotlight on Literacy (RTR) Grant - Local 2020	5,564.13	0.00	0.00	5,564.13
Spotlight on Literacy (RTR)-LOCAL Funds-SLT-CTHG 06/2020-05/2021	0.00	0.00	(52.40)	(52.40)
Spotlight on Literacy - MOSL -2020	(4,206.00)	1,012.00	0.00	(3,194.00)
Spotlight on Literacy Grant-MOSL-SLT20-CAPL 06/2020-05/2021	0.00	0.00	(5,870.07)	(5,870.07)
Spotlight on Literacy Grant - Local - 2020	20,908.70	0.00	0.00	20,908.70
Spotlight on Literacy Grant-LOCAL Funds-SLT20- CAPL 06/2020-05/2021	0.00	0.00	(1,317.24)	(1,317.24)
Steadley Trust	926.16	0.00	0.00	926.16
Summer Reading Program-Local Funds 02/2020- 08/2020	448.67	0.00	(259.47)	189.20
Summer reading program - MOSL grant	(1,023.00)	0.00	1,023.00	0.00
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	1,470.48	3,065.53	(4,434.44)	101.57
Thelma Stanley Foundation Grant	7,012.96	10,000.00	(410.59)	16,602.37
Multi Purpose Building - furnishings and supplies	220,119.58	21,088.63	(58,116.59)	183,091.62
Mult Purpose Building	(181,117.28)	185,333.34	(174,717.97)	(170,501.91)
LSTA-Spotlight on Literacy Grant - MOSL- SLT20CNO-9871	0.00	0.00	(6,072.99)	(6,072.99)
Anne Elliff - Children's Dept	0.00	5,000.00	(1,800.00)	3,200.00
Operational reserves	195,998.47	0.00	0.00	195,998.47
Totals	<u>\$ 318,571.65</u>	<u>\$ 226,412.48</u>	<u>\$ (258,414.19)</u>	<u>\$ 286,569.94</u>

See accountant's compilation report.

CIRCULATION REPORT for January 2021

New Books/Periodicals	
Adult Books / AV	<u>74</u>
Adult Periodicals	<u>46</u>
YA Books / AV	<u>41</u>
YA Periodicals	<u>1</u>
Juvenile Books / AV	<u>561</u>
Juv Periodicals	<u>13</u>
Totals	<u>736</u>

New Applications	
Adult	<u>9</u>
Juvenile	<u>15</u>
Total	<u>24</u>

AWE Computers	
AWE #1	<u>N/A</u>
AWE #2	<u>N/A</u>
AWE #3 (Bilingual)	<u>N/A</u>
AWE #4 (Bilingual)	<u>N/A</u>
Total	<u>0</u>

Computer Use	
Adult	<u>32</u>
Reference/Genealogy	<u>6</u>
Microfilm	<u>8</u>
Juvenile	<u>N/A</u>
Tablets	<u>N/A</u>
AWE	<u>0</u>
Teen Laptops	<u>N/A</u>
Wireless	<u>231</u>
Total	<u>277</u>

Circulation	Adult	YA	Juvenile	Total
Books	<u>608</u>	<u>42</u>	<u>751</u>	<u>1,401</u>
Periodicals	<u>16</u>	<u>0</u>	<u>0</u>	<u>16</u>
Audio	<u>4</u>	<u>0</u>	<u>22</u>	<u>26</u>
Visual	<u>62</u>	<u>-</u>	<u>-</u>	<u>62</u>
Circulating Electronics	<u>N/A</u>	<u>-</u>	<u>-</u>	<u>0</u>
eBooks	<u>1,214</u>	<u>173</u>	<u>153</u>	<u>1,540</u>
Totals	<u>1,904</u>	<u>215</u>	<u>926</u>	<u>3,045</u>
In House Use	<u>9</u>	<u>-</u>	<u>-</u>	<u>9</u>
Courier	Lending <u>403</u>	Borrowing <u>449</u>	ILL <u>0</u>	Total <u>852</u>
Circulation Total				<u>3,906</u>

Learning Express	NewsBank	Ebscohost	HeritageQuest	Total
<u>0</u>	<u>0</u>	<u>34</u>	<u>0</u>	<u>34</u>

ENGLISH	Adult	YA	Juvenile	Total
Programs	<u>0</u>	<u>0</u>	<u>2</u>	<u>2</u>
Attendees	<u>0</u>	<u>0</u>	<u>31</u>	<u>31</u>

SPANISH	Adult	Juvenile	Total
Programs	<u>0</u>	<u>0</u>	<u>0</u>
Attendees	<u>0</u>	<u>0</u>	<u>0</u>

Steadley Family Legacy Center		
Door Count	Assistance/Checkout	Makerspace Use
<u>20</u>	<u>1</u>	<u>1</u>

Curbside	<u>255</u>	In-House Patrons	<u>361</u>
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	Adult	YA	Juvenile	Total
Mending	<u>17</u>	<u>1</u>	<u>43</u>	<u>61</u>
Discards	<u>1</u>	<u>0</u>	<u>113</u>	<u>114</u>
Corrective Processing	<u>25</u>	<u>3</u>	<u>45</u>	<u>73</u>



STEADLEY FAMILY LEGACY CENTER



CARTHAGE PUBLIC LIBRARY

612 S. Garrison Avenue

Carthage, Missouri 64836

Ph 417.237.7040

Fx 417.237.7041

carthage.lib.mo.us

DRAFT

APPROVED

CARTHAGE PUBLIC LIBRARY BOARD OF TRUSTEES

Tuesday, March 9, 2021 5:15 p.m.

CARTHAGE PUBLIC LIBRARY BOARD ROOM
612 S. Garrison Ave.

AGENDA

Roll Call of Members

Minutes from the Last Meeting: January 2021

Financial Report: January and February

Director's Progress and Service Report

President's Message

Council Liaison's Report

Committee Reports

Building Committee

Update on roof, sidewalks and renovation

Budget Committee

Community Relations

By-Laws

Library Gardens

ADA Compliance

Communications

New Business

Change of date for April Board meeting

Payment of Bills

Adjournment

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APPROVED

CARTHAGE PUBLIC LIBRARY

FINANCIAL STATEMENTS

FEBRUARY 28, 2021





ACCOUNTANT'S COMPILATION REPORT

Carthage Public Library
612 S Garrison
Carthage, MO 64836

Management is responsible for the accompanying financial statements of Carthage Public Library (a nonprofit organization) which comprise the balance sheet - cash basis as of February 28, 2021, and the related statements of income - cash basis for the one month and eight months then ended and for determining that the cash basis of accounting is an acceptable financial reporting framework. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

The financial statements are prepared in accordance with the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America.

The Organization has elected to include liabilities arising from the receipt of borrowed cash and insurance proceeds and record payroll taxes that have not been deposited to the IRS, which are generally accepted modifications of the cash basis of accounting. The effects of this departure from the cash basis of accounting on the accompanying financial statements have not been determined.

The supplementary information is presented for purposes of additional analysis and is not a required part of the basic financial statements. The information is the representation of management. The information was subject to our compilation engagement, however, we have not audited or reviewed the supplementary information and, accordingly, do not express an opinion, a conclusion, nor provide any form of assurance on such supplementary information.

Management has elected to omit substantially all of the disclosures ordinarily included in financial statements prepared in accordance with the cash basis of accounting. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Organization's financial position and changes in net assets, liabilities, equity, revenues, and expenses. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Schmidt Associates, LLC

March 05, 2021



America Counts on CPAs

1105 Industrial Dr. Carthage, MO 64836 * 401 W. 5th St. Ste. 201 Rolla, MO 64836

**Carthage Public Library
Balance Sheet - Cash basis
February 28, 2021**

Assets

Current Assets

Cash in bank - treasurer's cash	\$ 592,383.47
Cash in bank - Community National Bank	1,771.65
Cash in bank - Guaranty Bank	(780.72)
Cash on hand - circulation desk	100.00
Cash on hand - Internet desk	40.00
Petty cash	120.00
MOSIP Investment	669,579.75
Total Current Assets	<u>1,263,214.15</u>

Total Assets	<u><u>\$ 1,263,214.15</u></u>
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Liabilities and Net Assets

Current Liabilities

Lagers withholding	\$ 2,750.26
Insurance proceeds payable	38,202.69
Note payable - Multi purpose building	187,200.00
Total Current Liabilities	<u>228,152.95</u>

Total Liabilities	<u>228,152.95</u>
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Net Assets

Unrestricted Net Assets	718,013.16
Temporarily Restricted Net Assets:	
Boylan Grant	6,252.67
Carthage Community Foundation	5,000.00
CPL Collection Development Grant	(5,000.00)
CPL Development Foundation	10,451.55
Debbie Putnam - Ebooks	26,639.74
Library Gardens	3,878.47
Spotlight on Literacy (RTR) Grant - MOSL 2020	5,246.35
Spotlight on Literacy (RTR) Grant - Local 2020	5,564.13
Spotlight on Literacy - MOSL -2020	(4,206.00)
Spotlight on Literacy Grant - Local - 2020	20,908.70
Steadley Trust	926.16
Summer Reading Program-Local Funds 02/2020-08/2020	448.67
Summer reading program - MOSL grant	(1,023.00)
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	1,470.48
Thelma Stanley Foundation Grant	7,012.96
Multi Purpose Building - furnishings and supplies	220,119.58
Multit Purpose Building	(181,117.28)
Operational reserves	195,998.47
Change in net assets	(1,523.61)
Total Net Assets	<u>1,035,061.20</u>
Total Liabilities and Net Assets	<u><u>\$ 1,263,214.15</u></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 eight months ended February 28, 2021

	2021	Monthly	Monthly	2021	Annual	Annual
	Month Actual	Budget	Variance	Year to date	Budget	Variance
Revenue						
Book sale income	\$ 172.00	\$ 250.00	\$ (78.00)	\$ 294.80	\$ 3,000.00	\$ (2,705.20)
Copier income	138.15	583.34	(445.19)	179.65	7,000.00	(6,820.35)
Donations	1,243.80	0.00	1,243.80	13,288.76	0.00	13,288.76
Donations-restricted	9,757.00	291.67	9,465.33	235,822.58	3,500.00	232,322.58
Fax income	23.40	83.34	(59.94)	32.60	1,000.00	(967.40)
Fine income	397.25	500.00	(102.75)	825.65	6,000.00	(5,174.35)
Interest income	174.59	833.34	(658.75)	1,995.31	10,000.00	(8,004.69)
Non-resident fee income	640.00	666.67	(26.67)	1,940.00	8,000.00	(6,060.00)
Payment for lost books	24.20	0.00	24.20	156.29	0.00	156.29
State aid	0.00	1,000.00	(1,000.00)	4,537.04	12,000.00	(7,462.96)
Sur tax	0.58	2,471.84	(2,471.26)	3,493.70	29,662.00	(26,168.30)
Tax income	3,311.79	17,083.34	(13,771.55)	210,659.94	205,000.00	5,659.94
Tax income - Park and storm water	40,808.27	38,966.67	1,841.60	346,538.84	467,600.00	(121,061.16)
Miscellaneous income	0.00	500.00	(500.00)	20.00	6,000.00	(5,980.00)
Other income	89.15	0.00	89.15	194.05	0.00	194.05
Total revenue	56,780.18	63,230.21	(6,450.03)	819,979.21	758,762.00	61,217.21

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and eight months ended February 28, 2021

	2021 Month Actual	Monthly Budget	Monthly Variance	2021 Year to date	Annual Budget	Annual Variance
Operating Expenses						
Salaries	35,808.52	41,416.66	5,608.14	326,943.01	497,000.00	170,056.99
Lagers	1,916.71	2,000.00	83.29	19,774.97	24,000.00	4,225.03
Insurance - health	1,125.00	1,250.00	125.00	8,485.92	15,000.00	6,514.08
Payroll taxes - FICA	2,739.83	3,188.50	448.67	25,010.95	38,262.00	13,251.05
Total payroll expenses	41,590.06	47,855.16	6,265.10	380,214.85	574,262.00	194,047.15
Employee goodwill	840.00	250.00	(590.00)	2,735.16	3,000.00	264.84
Advertising	0.00	125.00	125.00	524.85	1,500.00	975.15
Audio-visuals	0.00	125.00	125.00	0.00	1,500.00	1,500.00
Books	887.11	2,083.33	1,196.22	12,288.70	25,000.00	12,711.30
Books - children's	0.00	1,083.33	1,083.33	8,271.72	13,000.00	4,728.28
Contract fees	1,733.56	3,083.33	1,349.77	26,757.58	37,000.00	10,242.42
Dues and travel	319.36	583.33	263.97	1,702.72	7,000.00	5,297.28
Ebooks	0.00	291.66	291.66	3,500.00	3,500.00	0.00
Furniture and equipment	600.00	250.00	(350.00)	5,360.00	3,000.00	(2,360.00)
Furniture and equipment - multi purpose building	0.00	0.00	0.00	2,410.17	0.00	(2,410.17)
Information technology (IT)	302.94	583.33	280.39	3,036.28	7,000.00	3,963.72
Insurance	0.00	2,500.00	2,500.00	31,600.00	30,000.00	(1,600.00)
Interest expense	58.29	166.66	108.37	1,524.99	2,000.00	475.01
Legal and professional	0.00	500.00	500.00	6,200.00	6,000.00	(200.00)
Multi purpose building	14,000.00	15,750.00	1,750.00	189,768.71	189,000.00	(768.71)
Periodicals	470.90	375.00	(95.90)	976.71	4,500.00	3,523.29
Postage	74.99	125.00	50.01	510.37	1,500.00	989.63
Programs - adult	37.15	500.00	462.85	3,102.03	6,000.00	2,897.97
Programs - children	105.80	666.66	560.86	9,037.49	8,000.00	(1,037.49)
Programs, teens	0.00	166.66	166.66	383.53	2,000.00	1,616.47
Repairs and maintenance	6,102.75	2,916.66	(3,186.09)	28,567.46	35,000.00	6,432.54
Supplies	1,614.44	2,083.33	468.89	12,178.06	25,000.00	12,821.94
Supplies - multi purpose building	8,006.56	16,666.66	8,660.10	62,725.40	200,000.00	137,274.60
Telephone	580.78	500.00	(80.78)	3,566.54	6,000.00	2,433.46
Utilities	3,910.97	3,333.33	(577.64)	24,559.50	40,000.00	15,440.50
	39,645.60	54,708.27	15,062.67	441,287.97	656,500.00	215,212.03
Total expenses and losses	81,235.66	102,563.43	21,327.77	821,502.82	1,230,762.00	409,259.18

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and eight months ended February 28, 2021

	2021 Month Actual	Monthly Budget	Monthly Variance	2021 Year to date	Annual Budget	Annual Variance
Increase/(Decrease) in unrestricted net assets before transfers	(24,455.48)	(39,333.22)	14,877.74	(1,523.61)	(472,000.00)	470,476.39
Transfers from temporary restricted	22,309.35	39,333.34	(17,023.99)	280,723.54	472,000.00	(191,276.46)
Transfers to temporary restricted	(9,757.00)	0.00	(9,757.00)	(236,169.48)	0.00	(236,169.48)
Increase/(Decrease) in unrestricted net assets	<u>(11,903.13)</u>	<u>0.12</u>	<u>(11,903.25)</u>	<u>43,030.45</u>	<u>0.00</u>	<u>43,030.45</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 eight months ended February 28, 2021

	2021 Month Actual	Monthly Budget	Monthly Variance	2021 Year to date	Annual Budget	Annual Variance
Changes in temporarily restricted net assets						
Spotlight on Literacy (RTR) Grant - MOSL 2020	0.00			912.98		
Spotlight on Literacy (RTR) - MOSL-SLT20-CTHG 06/2020-05/2021	2,257.00			2,257.00		
Spotlight on Literacy Grant - MOSL - 2020	0.00			1,012.00		
Spotlight on Literacy Grant-MOSL-SLT20-CAPL 06/2020-05/2021	6,000.00			6,000.00		
Summer Reading Program LOCAL Funds- 2021 #SLP20-029	1,500.00			1,500.00		
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	0.00			3,065.53		
Thelma Stanley Foundation Grant	0.00			10,000.00		
Mult Purpose Building - furnishings and supplies	0.00			21,088.63		
Multi Purpose Building	0.00			185,333.34		
Anne Elliff - Children's Dept	0.00			5,000.00		
CPL Development Foundation	0.00			(272.89)		
CSLP Grant	0.00			(201.99)		
Debbie Putnam - Ebooks	0.00			(3,500.00)		
Library Gardens	0.00			(932.69)		
Spotlight on Literacy (RTR) - MOSL-SLT20-CTHG 06/2020-05/2021	0.00			(1,477.86)		
Spotlight on Literacy (RTR) - LOCAL Funds-SLT20- CTHG 06/2020-05/2021	0.00			(52.40)		
Spotlight on Literacy Grant - MOSL 2020	(302.79)			(302.79)		
Spotlight on Literacy Grant-MOSL-SLT20-CAPL 06/2020-05/2021	0.00			(5,870.07)		
Spotlight on Literacy Grant-LOCAL Funds-SLT20- CAPL 06/2020-05/2021	0.00			(1,317.24)		
Summer Reading Program-Local Funds 02/2020- 08/2020	0.00			(259.47)		
Summer reading program - MOSL grant	0.00			1,023.00		
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	0.00			(4,434.44)		
Thelma Stanley Foundation Grant	0.00			(410.59)		
Multi Purpose Building - furnishings and supplies	(8,006.56)			(66,123.15)		
Multi Purpose Building	(14,000.00)			(188,717.97)		
LSTA-Spotlight on Literacy Grant - MOSL- SLT20CNO-9871	0.00			(6,072.99)		

See accountant's compilation report.

Carthage Public Library
Statements of Income and Other Changes in Net Assets - Cash basis
For the one month and eight months ended February 28, 2021

	2021	Monthly	Monthly	2021	Annual	Annual
	Month Actual	Budget	Variance	Year to date	Budget	Variance
Anne Elliff - Children's Dept	0.00			(1,800.00)		
Increase/(Decrease) in temporarily restricted net assets	(12,552.35)			(44,554.06)		
Change in net assets	\$ (24,455.48)			\$ (1,523.61)		

See accountant's compilation report.

Carthage Public Library
Gift Account Activity
For the one month and eight months ended February 28, 2021

	Beginning Balance	Increases	Decreases	Ending balance
Boylan Grant	\$ 6,252.67	\$ 0.00	\$ 0.00	\$ 6,252.67
Carthage Community Foundation	5,000.00	0.00	0.00	5,000.00
CPL Collection Development Grant	(5,000.00)	0.00	0.00	(5,000.00)
CPL Development Foundation	10,451.55	0.00	(272.89)	10,178.66
CLSP Grant	0.00	0.00	(201.99)	(201.99)
Debbie Putnam - Ebooks	26,639.74	0.00	(3,500.00)	23,139.74
Library Gardens	3,878.47	0.00	(932.69)	2,945.78
Spotlight on Literacy (RTR) Grant - MOSL 2020	5,246.35	912.98	0.00	6,159.33
Spotlight on Literacy (RTR)-MOSL-SLT-CTHG 06/2020-05/2021	0.00	2,257.00	(1,477.86)	779.14
Spotlight on Literacy (RTR) Grant - Local 2020	5,564.13	0.00	0.00	5,564.13
Spotlight on Literacy (RTR)-LOCAL Funds-SLT-CTHG 06/2020-05/2021	0.00	0.00	(52.40)	(52.40)
Spotlight on Literacy - MOSL -2020	(4,206.00)	1,012.00	(302.79)	(3,496.79)
Spotlight on Literacy Grant-MOSL-SLT20-CAPL 06/2020-05/2021	0.00	6,000.00	(5,870.07)	129.93
Spotlight on Literacy Grant - Local - 2020	20,908.70	0.00	0.00	20,908.70
Spotlight on Literacy Grant-LOCAL Funds-SLT20- CAPL 06/2020-05/2021	0.00	0.00	(1,317.24)	(1,317.24)
Steadley Trust	926.16	0.00	0.00	926.16
Summer Reading Program-Local Funds 02/2020- 08/2020	448.67	0.00	(259.47)	189.20
Summer Reading Program LOCAL Funds- 2021 #SLP20-029	0.00	1,500.00	0.00	1,500.00
Summer reading program - MOSL grant	(1,023.00)	0.00	1,023.00	0.00
Summer Reading Program-MOSL Grant Funds 02/2020-08/2020	1,470.48	3,065.53	(4,434.44)	101.57
Thelma Stanley Foundation Grant	7,012.96	10,000.00	(410.59)	16,602.37
Multi Purpose Building - furnishings and supplies	220,119.58	21,088.63	(66,123.15)	175,085.06
Multi Purpose Building	(181,117.28)	185,333.34	(188,717.97)	(184,501.91)
LSTA-Spotlight on Literacy Grant - MOSL- SLT20CNO-9871	0.00	0.00	(6,072.99)	(6,072.99)
Anne Elliff - Children's Dept	0.00	5,000.00	(1,800.00)	3,200.00
Operational reserves	195,998.47	0.00	0.00	195,998.47
Totals	<u>\$ 318,571.65</u>	<u>\$ 236,169.48</u>	<u>\$ (280,723.54)</u>	<u>\$ 274,017.59</u>

See accountant's compilation report.

Carthage Public Library
Director's Progress and Service Report, March, 2021
Julie Yockey, Director

I finally got my snow, and not too many people were happy about that! I have since taken down my Christmas tree in hopes that spring will stick around. Due to the snow, ice and extreme temperatures we were closed for almost two weeks. The library came through the cold snap with only the existing leaks giving us some issues. I made sure the heat was turned way up so that we did not have frozen water sprinkler issues like so many others had.

Our insurance adjuster came for a walk-through with Randy Dubry and myself. Since the project is complete he needed to do an inspection of the job and he was truly impressed with how gorgeous our library really is. MOPERM has been very good to this library and very easy to work with. We hope and pray they do not hear from us for a long, long time.

Randy Dubry and Terry Hirshey will give an update tonight as part of the Building Committees updates on our roof situation. CCR Roofing the installer of the new roof project spent two days at the library this week working on issues once again that are continually causing the roof to leak.

Our temporary hours and schedules for-reopening have gone very well. Our patrons are 99% lovely and understanding of what this library has been through. We have had some challenges on overdue materials and non-resident fees and are working through them on a case by case situation. I will present to the Board this evening our temporary plans for moving into summer and summer reading. The State Library as well as our Southwest Missouri Library Director's group continue to meet via ZOOM once a week. We all learn so much from each other and all of us at this point are trying to do what is best for our staff. Until they are able to get the vaccine, it is hard for any of us, after such a long time of doing a really great job of protecting them, to just open the doors wide open and let the masses of people in. We are all trying to work with our local health departments to see if any leftover vaccines during the education phase could be used for our library staff. Every one of my staff members wants to take the vaccine, but all but two of them are young and healthy enough that they are scheduled to get their shots last. Some counties, such as Newton got the call this week that they had enough left over to do their staff. I can be a pest as you know and I have left daily messages with our Health Department.

Statistics from all over the state as well as from our library show that library visits are way down. Many people are still using curb-side services or they just don't feel safe yet about visiting public buildings. It is tax season, and so many people need our services to prepare their own taxes. The Steadley Building has its' own laptops and people have a time limit of one hour to use that facility, so Ben has been busy. He can have five people at a time use the building. Each day he has visitors that stop by for a tour of the building, and he has even gotten to teach a few people how to use the laser and 3 D printer. He is doing a fabulous job and is so proud of his new position. We made the exact right choice.

The Parks and Recreation Director, Mark Peterson met with Gary Cole, Peggy Ralston and I on Thursday the 4th to discuss tentative plans the City has for moving the Farmer's Market to the park across from the Library. Mark was using the visit as an opportunity to learn more about the library, and I believe when he left he understood how incredibly busy we are each and every day, especially summer. The proposal on the table was to close 7th street on Wednesday and Saturdays to use for Farmer's Market. Our parking situation is extremely limited and as we have grown with a new building, it is even more difficult for people to find parking. We did our best to explain to him that if they closed the street to parking it would have detrimental effect on our programming. He closed the meeting promising to take everything we discuss into consideration before presenting anything to the City.

We would like to thank our community leaders, teachers etc. that have taken part in doing virtual story times during our children's Winter Program. They were so special and were viewed by so many families at home. Jane Goade, Mrs. Houlihan, Alice Greenwood, Kim Ensminger, Neely Meyers, Jennifer Dillard, Sheriff Kaiser and Mrs. Hartler are our local heroes! Thank you all so much.

The Board will decide tonight on an alternate date for the April Board meeting due to a conflict with the Director's schedule.

Respectfully submitted,

Julie Yockey, Director

Children's Progress Report February 2021, Sherri Luce

I typically look at the previous year's report and compare what's going on now verses then. I was both sad and excited to see that February 2020 included nine in-library programs and eight outreach programs, reaching 579 people. I am thankful we seem to be making progress every day against COVID, and am hopeful we will be able to host small groups for summer programming.

Our Winter Reading Challenge is finishing up the first week of March, so I will have those totals for you next month. Children requested the Brag Tags again as incentives. I was thankful, as they are small and easy to prepare in advance so they have been in a bag for quite some time before it is given to our families. The 1,000 Books Before Kindergarten Challenge is also starting to see some progress again that our doors are open.

Of course, we are working on spring take and make craft bags and virtual story times; summer plans are hopeful for some in-house story times, but formatted to go online at any time if need be.

CIRCULATION REPORT for February 2021

New Books/Periodicals	
Adult Books / AV	40
Adult Periodicals	38
YA Books / AV	1
YA Periodicals	0
Juvenile Books / AV	141
Juv Periodicals	7
Totals	227

New Applications	
Adult	14
Juvenile	6
Total	20

AWE Computers	
AWE #1	N/A
AWE #2	N/A
AWE #3 (Bilingual)	N/A
AWE #4 (Bilingual)	N/A
Total	0

Computer Use	
Adult	93
Reference/Genealogy	13
Microfilm	13
Juvenile	N/A
Tablets	N/A
AWE	0
Teen Laptops	N/A
Wireless	274
Total	393

Circulation	Adult	YA	Juvenile	Total
Books	754	76	884	1,714
Periodicals	13	0	0	13
Audio	19	0	32	51
Visual	98	-	-	98
Circulating Electronics	0	-	-	0
eBooks	1,143	140	135	1,418
Totals	2,027	216	1,051	3,294
In House Use	45	-	-	45
Courier	Lending 230	Borrowing 196	ILL 0	Total 426
Circulation Total				3,765

Learning Express 30	NewsBank 0	Ebscohost 8	HeritageQuest 0	Total 38
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ENGLISH	Adult	YA	Juvenile	Total
Programs	0	0	4	4
Attendees	0	0	80	80

SPANISH	Adult	Juvenile	Total
Programs	0	0	0
Attendees	0	0	0

Steadley Family Legacy Center		
Door Count	Assistance/Checkout	Makerspace Use
16	1	4

Curbside	21	In-House Patrons	330
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	Adult	YA	Juvenile	Total
Mending	0	4	11	15
Discards	88	9	16	113
Corrective Processing	11	9	21	41

"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.