



February 27, 2023 - 5:30 PM
CITY HALL COUNCIL CHAMBERS

AGENDA

- 1. Call to Order**
- 2. Old Business**
 1. Approval of 1-23-23 Minutes
- 3. Citizen Participation**
 1. Consider and discuss speeding in Phelps addition - Dane Kendall
- 4. New Business**
 1. Consider and discuss marijuana ordinance - Nate Dally
 2. Consider and discuss unlawful use of weapon ordinance
 3. Consider and discuss CWEP Tower 2 Tower Run on May 13th - Meagan Miliken
 4. Consider and discuss Earth Day Celebration - Julie Reams
 5. Consider and discuss Food Truck Friday - Katie Fields
 6. Consider and discuss amendment to Section 14-11, Court Costs, of the Carthage Code
 7. Consider and discuss acceptance of giftcards from Butterball - Huntley
 8. Consider and discuss the request for the council bill pertaining to hiring age - Huntley
 9. Consider and discuss Grace SuperPass Personal Alert bid - Huntley
 10. Staff Reports
 - Fire Department
 - Police Department
- 5. Adjournment**

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



City of Carthage, Missouri **PUBLIC SAFETY COMMITTEE**

January 23, 2023 - 5:30 PM
CITY HALL COUNCIL CHAMBERS

MINUTES

1. Call to Order

2. Old Business

1. Consideration and approval of 11/21/22 Minutes
Councilman Snow made a motion to approve the minutes from 11/21/22 meeting. Motion passed.

3. Citizen Participation

4. New Business

1. Consider and discuss check/donation to Police Department
The CPD received their annual \$10,000 donation from an anonymous donor. Chairman Snow made a motion to accept the \$10,000 donation as in years past and send onto council. Motion passed.
2. Consider and Discuss truck route - Chief Hawkins
Chief Hawkins spoke with the committee on the truck route. Chief is wanting to amend Section 23-172(d) of the City Code to add Hazel Avenue from HH Highway to the North side of the George Phelps intersection as a truck route in the City of Carthage. Signage needs to be added. Council Harrisso made a motion to accept adding Hazel Avenue from HH Highway to the North side of the George Phelps intersection.
3. Staff Reports

Fire Department

Chief Huntley spoke briefly with the committee:

1. Changing the hiring age at the CFD to 18 years of age. No motion needed.
2. Sealed bids for the PASS devices have been sent out. No motion needed.
3. High angle rope rescue training will be held next month and purchasing new gear for this training using money from a donation. No motion needed.

Police Department

Chief Hawkins spoke with the committee briefly about their cars and the progress of receiving them. No motion needed.

Chairman Elliff discussed that the next meeting is scheduled on a City holiday and date needs changed. Councilman Snow made a motion to move the next

meeting to February 27th. Motion passed.

Traci Cox spoke briefly with the committee on the audit meeting that will be held Tuesday January 24th. No motion needed.

5. Adjournment

Councilman Harrison made a motion to adjourn.

COUNCIL BILL NO. 23-14

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CARTHAGE, MISSOURI AMENDING THE CARTHAGE CITY CODE BY ADDING SECTION 13-158 TO INCLUDE REGULATIONS FOR ADULT USE MARIJUANA, IN THE CITY OF CARTHAGE MISSOURI.

WHEREAS, on November 8, 2022, the voters of the State of Missouri approved Constitutional Amendment 3, legalizing adult use marijuana in the State; and,

WHEREAS, the recent changes to State Constitution related to adult use marijuana require amending the Municipal Code of the City of Carthage, Missouri; and,

WHEREAS, it is the desire of the City Council of Carthage, Missouri to continue to regulate the use and possession of marijuana within the City to the extent allowed by Article XIV of the Missouri Constitution.

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

Section 1. Chapter 13 of the Municipal Code is hereby amended to read as follows:

Section. 13-158. Possession of Marijuana

- A. Except and only to the extent as authorized by Article XIV of the Missouri Constitution including any and all rules and regulations promulgated by the department relating to legalized medical marijuana or legalized adult use marijuana, it shall be unlawful for any person to knowingly use, or possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance, or imitation controlled substance in violation of this article.
- B. The definitions used in this Section shall be the same as used in Missouri Constitution Section 2 Amendment XIV.
- C. No person shall knowingly possess a controlled substance, except and only to the extent as authorized by RSMo Ch. 579 or RSMo Ch. 195, as amended.
- D. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this section, it shall not be necessary to include any exception, excuse, proviso, or exemption contained in: (i) this section, as amended, (ii) RSMo Ch. 579, as amended, or (iii) RSMo Ch. 195, as amended, and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the defendant.

- 1. No person under the age of twenty-one years shall knowingly possess marijuana

except as provided by Article XIV of the Missouri Constitution.

2. A person at least twenty-one years of age may not purchase, possess, consume, use, ingest, inhale, process, transport, deliver without consideration, or distribute without consideration except as permitted under Article XIV of the Missouri Constitution, as amended, over three ounces of dried, unprocessed marijuana, or its equivalent.
3. A person at least twenty-one years of age may not possess, transport, plant, cultivate, harvest, dry, process, or manufacture more than six flowering marijuana plants, six nonflowering marijuana plants (over fourteen inches tall), and six clones (plants under fourteen inches tall) in violation of Article XIV of the Missouri Constitution.
4. A person may not purchase, possess, use, deliver, distribute, manufacture, transfer, or sell to persons under twenty-one years of age marijuana accessories, except as provided by Article XIV of the Missouri Constitution.
5. No person shall knowingly possess more than twice the amount of marijuana as authorized by Article XIV of the Missouri Constitution.
6. The following may possess marijuana pursuant to Article XIV of the Missouri Constitution and its accompanying State regulations:
 - a. A qualifying patient for the patient's own personal use, provided that a qualifying patient shall not possess more than four (4) ounces of dried, unprocessed marijuana in a thirty (30) day period, unless such patient is able to possess more than such limits pursuant to 19 CSR 30-095.030(5)(E), as amended, in which case such person shall not possess more than amount of marijuana the person's two (2) physicians have certified the person to possess;
 - b. A primary caregiver for a qualifying patient(s), but only when transporting marijuana to a qualifying patient(s) or when accompanying a qualifying patient(s); and
 - c. An owner or employee of a medical marijuana facility licensed by the State of Missouri while on the premises of said facility, or when transporting to a qualified patient's or primary caregiver's residence or another medical marijuana facility licensed by the State of Missouri.
 - d. An adult at least twenty-one (21) years of age.
7. In any complaint or information, and in any action or proceeding brought for the enforcement of any provision of any applicable statutory authority in the State of Missouri, it shall not be necessary to include any exception, excuse,

proviso, or exemption of any applicable statutory authority in the State of Missouri, and the burden of proof of any such exception, excuse, proviso or exemption shall be upon the defendant.

8. Any person under the age of twenty-one years old in possession of medical marijuana, including a marijuana-infused product, shall, immediately upon request of any law enforcement officer, produce a valid identification card issued by either the department or the respective equivalent identification card or authorization issued by another state or political subdivision of another state, authorizing the person to possess the amount of marijuana in such person's possession as provided by Article XIV of the Missouri Constitution, as amended. Any person who fails to produce such identification card as required by this section shall be guilty of the offense of failure to produce a medical marijuana identification card.
9. No person shall consume marijuana, including marijuana for medical use, in a public place. As used in this section only, "public place" means the same as the term defined by applicable Missouri Regulations, as amended, which is any public or private property, or portion of public or private property, that is open to the general public, including, but not limited to, sidewalks, streets, bridges, parks, schools, and businesses. However, for purposes of designating a nonpublic place within a public place, the owner or entity with control of any such property may, but is not required to, provide one (1) or more enclosed, private spaces where one (1) qualifying patient and, if required by the owner or entity with control of any such property, a representative of such owner or entity, may congregate for the qualifying patient to consume medical marijuana. The qualifying patient may be accompanied by the family of the qualifying patient, the qualifying patient's primary caregiver, and/or the qualifying patient's physician. The owner or entity with control of any such property may provide such a space by individual request or designate such a space for ongoing use and may limit use of medical marijuana in that space to uses that do not produce smoke. Any such permission shall be given in writing and provided to the qualifying patient or publicly posted prior to a qualifying patient's use of medical marijuana in that space. "Public place" shall not include:
 - a. The residence of the person administering medical marijuana or the residence of another person when the person in control of that property has consented to the administering of marijuana; or
 - b. A licensed medical facility with the consent of the person or persons in charge of that facility.
10. It shall be unlawful for any person over the age of twenty-one to have the plants and any marijuana in excess of three ounces:
 - a. Kept at one private residence visible by normal, unaided vision from a

public place; or

- b. Kept in an unlocked space.

11. Consumption of adult use marijuana in public.

- a. No person shall consume adult use marijuana in a public place.
- b. As used in this section only, "public place" means the same as the term defined by applicable Missouri Regulation, as amended, which is any public or private property, or portion of public or private property, that is open to the general public, including, but not limited to, sidewalks, streets, bridges, parks, schools, and businesses. "Public place" shall not include:
 - i. The residence of the person consuming adult use marijuana or the residence of another person when the person in control of that property has consented to the consumption of adult use marijuana; or
 - ii. An area licensed by the authorities having jurisdiction over the licensing and/or permitting of said activity.

12. Except and only to the extent as authorized by Article XIV of the Missouri Constitution, as amended, including any and all rules and regulations promulgated by the department relating to legalized medical marijuana or legalized adult use marijuana, it shall be unlawful for any person under twenty-one years of age to knowingly use, or possess with intent to use, marijuana accessories to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body marijuana, or imitation marijuana in violation of this article, other than medical marijuana as allowed under Article XIV of the Missouri Constitution.

13. Subject to the limitations in subsection 3 of Article XIV of the Missouri Constitution, the penalty for marijuana offenses shall be punishable as follows:

- a. A person who cultivates marijuana plants that are visible by normal, unaided vision from a public place is subject to a civil penalty not exceeding two hundred and fifty dollars and forfeiture of the marijuana, as authorized under Article XIV of the Missouri Constitution, as amended.
- b. A person who cultivates marijuana plants that are not kept in a locked space is subject to a civil penalty not exceeding two hundred and fifty

dollars and forfeiture of the marijuana, as authorized under Article XIV of the Missouri Constitution, as amended.

- c. A person who smokes marijuana in a public place is subject to a civil penalty not exceeding one hundred dollars, as authorized under Article XIV of the Missouri Constitution, as amended.
- d. A person who is under twenty-one years of age who possesses, uses, ingests, inhales, transports, delivers or distributes marijuana, or possesses, delivers or distributes marijuana accessories is subject to a civil penalty not to exceed one hundred dollars and forfeiture of the marijuana. Any such person shall be provided the option of attending up to four hours of drug education or counseling in lieu of the fine, as authorized under Article XIV of the Missouri Constitution, as amended.
- e. A person who possesses or produces, delivers without receiving any consideration or remuneration, or possesses with intent to deliver not more than twice the amount of marijuana to a person who is at least twenty-one years of age, as authorized under Article XIV of the Missouri Constitution, as amended:
 - i. For a first violation, is subject to a civil infraction punishable by a civil penalty not exceeding two hundred and fifty dollars and forfeiture of the marijuana;
 - ii. For a second violation, is subject to a civil infraction punishable by a civil penalty not exceeding five hundred dollars and forfeiture of the marijuana;
 - iii. For a third or subsequent violation, is subject to a violation punishable by a fine not exceeding one-thousand dollars and forfeiture of the marijuana;
 - iv. For a person under twenty-one years of age is subject to a civil penalty not to exceed two hundred and fifty dollars. Any such person shall be provided the option of attending up to eight hours of drug education or counseling in lieu of the fine; and
 - v. In lieu of payment, penalties under this subsection may be satisfied by the performance of community service. The rate of pay-down associated with said service option will be the greater of \$15 or the minimum wage in effect at the time of judgment.”

14. Pursuant Subsection 3 of Article XIV of the Missouri Constitution the following acts are prohibited and there are no constitutional protection or punishments prescribed for the following. It shall be unlawful to:

- a. Deliver or distribute marijuana or marijuana accessories, with or without consideration, to a person younger than twenty-one years of age;

- b. Operate or be in physical control of any motor vehicle, train, aircraft, motorboat, or other motorized form of transport while under the influence of marijuana. Notwithstanding the foregoing, a conviction of a person who is at least twenty-one years of age for any applicable offenses shall require evidence that the person was in fact under the influence of marijuana at the time the person was in physical control of the motorized form of transport and not solely on the presence of tetrahydrocannabinol (THC) or THC metabolites, or a combination thereof, in the person's system;
 - c. Consume marijuana while operating or being in physical control of a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated;
 - d. Smoke marijuana within a motor vehicle, train, aircraft, motorboat, or other motorized form of transport while it is being operated;
 - e. Possess or consume marijuana or possess marijuana accessories on the grounds of a public or private preschool, elementary or secondary school, institution of higher education, in a school bus, or on the grounds of any correctional facility;
 - f. Smoke or burn marijuana in a location where smoking tobacco is prohibited;
 - g. Undertake any task while under the influence of marijuana, if doing so would constitute negligence, recklessness, or professional malpractice or would endanger others; or
 - h. Perform solvent-based extractions on marijuana using solvents other than water, glycerin, propylene glycol, vegetable oil, or food-grade ethanol, unless licensed for this activity by the State of Missouri.
- E. Severability: The provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found by a court of competent jurisdiction to be unconstitutional, the remaining provisions of this Ordinance are valid unless the Court finds the valid provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, the void provision that it cannot be presumed that the City Council would have enacted the valid provisions without the void ones or unless the Court finds that the valid provisions, standing

alone, are incomplete and incapable of being executed in accordance with the legislative intent.

- F. **Repeal of Conflicting Ordinances.** All parts of ordinances in conflict herewith are hereby repealed.

Section 2. That this Ordinance shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

Sponsored by: Public Safety Committee

REQUEST FOR COUNCIL BILL/AGENDA ITEM

I request a council bill/agenda item be drafted to accomplish the following:

sections of Ch. 13 *Add a section MD*
To amend ~~sections 13-145 (b)~~ of the code to ~~include subsection 12~~ unlawful use to fire a firearm within the city limits.

Date: 2-23-23

Signature

This request was referred to the PUBLIC SAFETY COMMITTEE for their recommendation.

Date: 2-23-23



Mayor

The PUBLIC SAFETY COMMITTEE has voted in favor of / against sponsoring the above council bill.

Date: _____

Committee Chairperson

The attached council bill has been prepared in accordance with the above request and is ready to be included on the agenda of the next council meeting. I have sent copies to the various departments listed below.

Date:

City Attorney

Street _____ CWEP _____
Police _____ Parks _____
Fire _____ City Admin. _____
Eng. _____

COUNCIL BILL NO. _____

ORDINANCE NO. _____

An Ordinance to amend sections of Chapter 13 of the Carthage Code by adding a section for discharging of weapons inside the city limits, for the City of Carthage, Missouri.

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

SECTION I: Chapter 13 of the Carthage Code is hereby amended by adding subsection 13-146 to read as follows:

Sec. 13-146. Discharge of firearms restricted, exceptions.

(a) It shall be unlawful for any person to use, shoot or discharge any firearm, rifle, gun, revolver, shotgun, BB gun, pellet gun, paint ball gun, slingshot, bow, crossbow or other device, whether the same is loaded with powder and ball, shot or other projectile and any kind of explosives whatsoever, within the city limits.

(b) Subject to the provisions and terms of applicable federal, state or local laws, ordinances, rules and regulations, subsection (a) of this section shall not apply to:

(1) All state, county and municipal peace officers possessing the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, while performing their official duty, whether such officers are within or outside their jurisdictions or on or off duty, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer.

(2) Members of the armed forces or national guard while performing their official duty, which includes firearms practice within the confines of the Missouri National Guard armory.

(3) Those persons vested by article V, section 1 of the state Constitution with the

judicial power of the state and those persons vested by article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary, while performing their official duty.

(4) Any person whose bona fide duty is to execute process, civil or criminal, while performing their official duty.

(5) Any federal probation officer, while performing their official duty.

(6) Any state probation and parole officer, including supervisors and members of the board of probation and parole, authorized to carry a firearm pursuant to RSMo 217.710, while performing their official duty.

(7) Any coroner or deputy coroner, while performing their official duty.

(8) Wardens, superintendents, and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while performing their official duty.

(9) Persons lawfully discharging firearms in the lawful self-defense.

(10) Students of the city public school system training in firearm and bow and arrow safety, or practicing and performing for interschool archery competitions, under the supervision of a teacher or coach.

(11) Any archery range conducted in any enclosed building constructed for that purpose.

(12) Any properly licensed shooting gallery.

(c) Definitions:

(1) For the purposes of this section, terms and phrases used herein shall have the definitions given them under RSMo 571.010.

(2) “shooting gallery” means a totally enclosed facility designed to offer a totally controlled shooting environment that includes impenetrable walls,

floor and ceiling, adequate ventilation and lighting systems, and acoustical treatment for sound attenuation suitable for the range's approved use.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Public Safety



Carthage Water & Electric Plant (CWEP), is seeking the same approval as in years past in regards to hosting our annual Tower 2 Tower 5k & 1-Mile Fun Run in honor of Drinking Water Week (May 8th - 12th). The run will take place on **Saturday, May 13th, 2023 at 8:00 a.m.** The proposed start/finish location is at 826 E George E Phelps Blvd. (The parking lot directly West of the South water tower). We plan to utilize the parking lot next to the South water tower for the start/finish, parking, sign-ins, concessions, restrooms, etc.

CWEP employees and volunteers will be set up along the race route pictured below, to help guide traffic and runners in a safe manner. We're requesting police presence while runners cross the intersections of Main St. & Fairview Ave., and River St. & Fairview Ave., for runners safety as those are higher traffic locations. If you have any further questions, please contact Meagan Milliken, CWEP Customer Relations Manager, at 417-237-7344 or mmilliken@cwep.com.

RACE ROUTES





February 15, 2023

RE: Community Earth Day Celebration

Public Safety Committee:

Let this letter and following documents submitted respectfully to this committee for approval for the use of Central Park for the first Community Earth Day Celebration.

The Earth Day Committee is asking for the use of Central Park on Saturday, April 22, 2023.

Thank you for your consideration and continued support of these types of events in the community.

Respectfully,

A handwritten signature in dark ink, appearing to read "Julie Reams". The signature is fluid and cursive, with a large loop at the beginning.

Julie Reams
President
Carthage Chamber of Commerce
417-358-2373



Request to Public Safety Committee:

Carthage Community Earth Day Celebration

1. Closure of Lyon Street
2. Permission for tables and activities around pavilion on Central Park with use of Shelters, if needed

The Carthage Chamber of Commerce in partnership with various other Carthage organizations respectfully request the use of Central Park to commemorate the first Carthage Community Earth Day Celebration to be held on Saturday, April 22, 2023.

Request #1

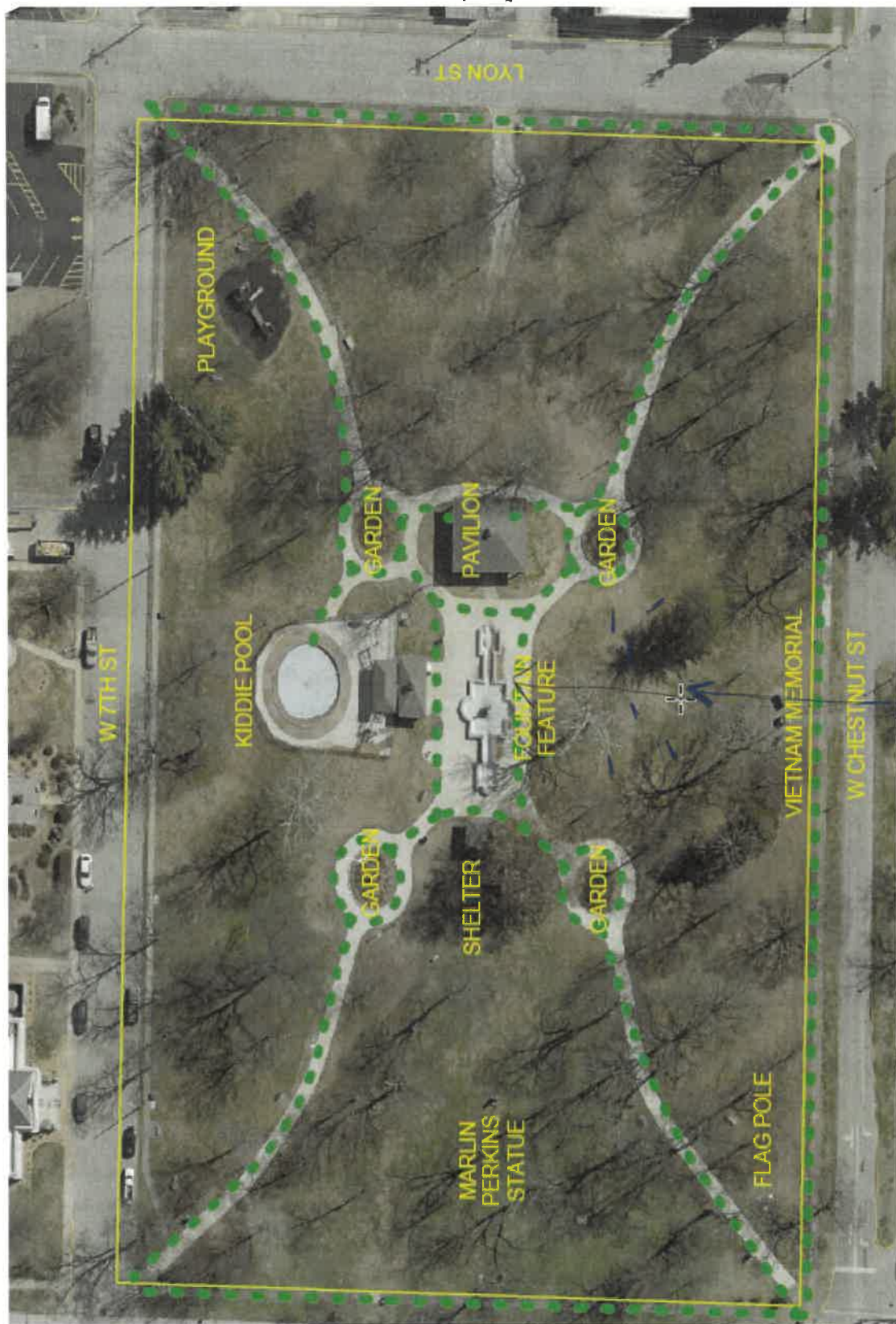
We are asking for the closure Lyon Street from 8am – 3pm for the set-up and tear down for no more than 4 food trucks along with the Shred-It Truck for a community document shredding day.

Request #2

We are requesting the use of Central Park to set up tables for various organizations to have hands on activities for kids, information booths and more to celebrate Earth Day. While this is a new event for all organizations, we have partnered with CWEP, Carthage Tree Board, Carthage R-9 Schools, Carthage Technical Center, FFA, 4-H, Extension Offices and more. All will come together at the Park to have hands on activities from planting flowers in pots to take home, learning about water conservation, and much more.

Clean up will happen when the event is over at 2pm and we should vacate the park no later than 3pm.

Central Park



Lyon Street
Closed

Variety Activities

1. Close Lyon Street 8am-3pm
2. Outdoor Family Activities 10am-2pm

Food Truck Friday 2023

- Food Truck Friday falls on the second Friday of each month beginning in April and ending in October of each year. Located in Central Park, this is not just a community favorite but a regional favorite that brings in thousands of people to Carthage. This event takes applications from Food Truck Vendors and Table Vendors to participate. Once approved and their invoice is paid, they are placed either on Lyon Street or 7th Street, connecting to the temporary boards. They begin setting up the morning of Food Truck Friday at 8 am. The event kicks off at 11 am and ends at 9 pm. Vendors are not permitted to leave until the event is over.

During the event, entertainment and games will be provided for the attendees of Food Truck Friday throughout the day of the event. There will be a beer garden located in the permitted space at Central Park for each Food Truck Friday. Experience Carthage will work with Public Safety on assuring the beer garden is compliant for each event.

- FTF dates/themes:

Dates	Themes
4/14/2023	MSSU
5/12/2023	Light Up the Park Truck Show
6/9/2023	Rodeo
7/14/2023	1st Responders - Battle of the Badges
8/11/2023	Crave the Culture and Arts
9/8/2023	Route 66
10/13/2023	Truck-Squerade

- FTF time frame: Vendors begin setting up at 8 am and the event will begin at 11 am and end at 9 pm.



2023 Food Truck Friday Documentation Checklist – Food Truck Vendor

All documents and payment for event will reserve your spot.

All vendors at Food Truck Friday must complete the following documentation annually and provide copies to Experience Carthage, MO (City of Carthage):

- ❖ Food Truck Friday 2023 Application – Food Truck Vendor Fee - \$250.00 per event
- ❖ Food Truck Friday 2023 Liability and Media Waiver
- ❖ City of Carthage Business License (\$50 annual | \$25 after July 1)
- ❖ Letter of No Tax Due from the State of Missouri
- ❖ Sales Tax Certificate from the State of Missouri
- ❖ Certificate of Business Liability Insurance with at least \$1 million in general liability, City of Carthage listed as the certificate holder and naming City of Carthage (326 Grant St., Joplin, MO 64836) as an additional insured
- ❖ Carthage (326 Grant St., Carthage, MO 64836) as an additional insured
- ❖ Jasper County Health Department Inspection (Annual or Temporary)
- ❖ Jasper County Merchant License

VENDORS MUST CHARGE AND PAY SALES TAX. Each vendor must track and report sales tax. All sales from Food Truck Friday must be collected and allocated to the city of Carthage for sales tax purposes. Contact the Missouri Department of Revenue for details: <http://dor.mo/gov/faq/business/special.php>

All documents provided must be filed with the proper agencies, State, County, and Municipal licenses, inspections, and tax payments are ultimately the responsibility of the vendor and business owner. No copies will be retained on file by Experience Carthage, MO.

FOOD TRUCK & VENDOR GUIDELINES & REGULATIONS

1. Space is NOT guaranteed for returning vendors.
2. **Any vendor seeking a space at this event must submit the included application together with ALL the following: 1) Signed 2023 Food Truck or Vendor Booth Application, 2) Signed Food Truck Friday Accident Waiver and Release of Liability Form, 3) Copy of all documents on the Document Checklist, 4) Payment in full**
3. **If you sign up for an event you will be emailed an invoice. Invoices may be paid in person at Experience Carthage, MO (402 S Garrison Ave., Carthage, MO 64836), or over the phone at 417-423-8075 or at City Hall 417-237-7000. Cancellations due to weather will receive a credit off the following months registration fee. Cancellations due to emergencies will be evaluated on a case by case basis. No credit will be given for cancelations made with less than 48 hour notice before the event.**
4. Home canned or jarred items are not permitted, due to the Jasper County Health Department regulations.
5. All vendors should plan to have their booth open and staffed from 11:00 a.m. until 9:00 p.m. on scheduled date as indicated on application and assigned by event committee. Prior arrangements must be made for alternate hours.
6. VENDORS MUST CHARGE AND PAY SALES TAX. Each vendor must track and report sales tax. All sales from Food Truck Friday must be collected and allocated to the City of Carthage for sales tax purposes. Contact the Missouri Department of Revenue for details: <http://dor.mo.gov/faq/business/special.php>
7. If you use a tent, it must be free standing and fit within your booth space. You may not use ground poles. Some booth spaces may have light poles or other permanent structures.
8. Water will NOT be provided by event committee, City of Carthage, or area retailers. Vendors should plan to provide their own water.
9. NO GLASS BOTTLES in Central Park.
10. Trucks must be unhitched from trailers and parked in public parking spaces by 10:00 a.m.
11. Each vendor is responsible for moving trash to the dumpster at the end of the night.
12. Electricity is provided to all vendors. Applicant must declare all cords used with voltage and amperage. Carthage Water and Electric Plant sets up temporary panels in the park including: (4) – 50amp 4-wire 240volt outlets (Nema 14-50R) and (8) – 20amp 120volt GFCI outlets on each temp board. Please make sure to articulate your electrical needs on your application and contact event staff with any questions or concerns. It is not the responsibility of Experience Carthage, MO to provide extension cords for vendors. Please plan accordingly.
13. Never touch a temporary power panel. If you have a power concern, contact event staff immediately.

If you have any further questions prior to arrival at the event, please contact Katie Fields at Experience Carthage, MO at 417-423-8075 or by email at k.fields@carthagemo.gov

PLEASE REMEMBER THAT YOUR REGISTRATION CAN NOT BE ACCEPTED UNTIL WE HAVE RECEIVED YOUR COMPLETED SIGNED FORM, PAYMENT, AND ALL REQUIRED DOCUMENTATION.

FOOD TRUCK FRIDAY ACCIDENT WAIVER AND RELEASE OF LIABILITY FORM

FOOD TRUCK FRIDAY EVENT DATES FOR 2023:

April 14, May 12, June 9, July 14, August 11, September 8, October 13
Carthage Central Park (714 S. Garrison Ave., Carthage, MO 64836) 11am-9pm

I HEREBY ASSUME ALL OF THE RISKS OF PARTICIPATING AND/OR VOLUNTEERING IN THIS ACTIVITY OR EVENT, including by way of example and not limitation, and risks that may arise from negligence or carelessness on the part of the persons or entities being released, from dangerous or defective equipment or property owned, maintained, or controlled by them, or because of their possible liability without fault. I certify that I am physically fit, have sufficiently prepared or trained for participation in the activity or event, and have not been advised to not participate by a qualified medical professional. I certify that there are no health-related reasons or problems which preclude my participation in this activity or event.

I acknowledge that this Accident Waiver and Release of Liability Form will be used by the event holders, sponsors, and organizers of the activity or event in which I may participate, and that it will govern my actions and responsibilities at said activity or event. In consideration of my application and permitting me to participate in this event, I hereby act for myself, my executors, administrators, heirs, next of kin, successors, and assigns as follows:

- (A) I WAIVE, RELEASE, AND DISCHARGE from any and all liability, including but not limited to, liability arising from the negligence or fault of the entities or persons released, for my death, disability, personal injury, property damage, property theft, or actions of any kind which may hereafter occur to me including my traveling to and from this event, THE FOLLOWING ENTITIES OR PERSONS: Experience Carthage, MO, City of Carthage, County of Jasper, their directors, officers, employees, members, volunteers, sponsors, representatives, and agents, the activity or event holders activity or event sponsors, activity or event volunteers;
- (B) I INDEMNIFY, HOLD HARMLESS, AND PROMISE NOT TO SUE the entities or persons mentioned from all liabilities or claims made as a result of participation in this activity or event, whether caused by the negligence of release or otherwise.

I acknowledge that this activity or event may involve a test of a person's physical and mental limits and may carry with it the potential for death, serious injury, and property loss. The risks may include, but are not limited to, those caused by terrain, facilities, temperature, weather condition of participants, equipment, vehicular traffic, actions of other people including, but not limited to, participants, volunteers, spectators, coaches, event officials, and event monitors, and/or producers of the event, and lack of hydration. These risks are not only inherent to participants but are also present to volunteers.

I hereby consent to receive medical treatment which may be deemed advisable in the event of injury, accident, and/or illness during this activity or event.

I understand that at this event or related activities, I may be photographed. I agree to allow my photo, video or film likeness to be used for any legitimate purpose by the event holders, producers, sponsors, organizers, and assigns.

The accident waiver and release of liability shall be construed broadly to provide a release and waiver to the maximum extent permissible under applicable law.

I CERTIFY THAT I HAVE READ THIS DOCUMENT, AND I FULLY UNDERSTAND ITS CONTENT. I AM AWARE THAT THIS IS A RELEASE OF LIABILITY AND A CONTRACT AND I SIGN IT OF MY OWN FREE WILL.

I would like my business contact information shared with other organizations and individuals looking for Food Truck Vendor information.

☐ Yes. Share my information

☐ No. I would not like my information shared

PRINT FULL NAME

SIGNATURE

DATE

FOOD TRUCK FRIDAY TABLE VENDOR APPLICATION

PLEASE SUBMIT THIS FORM VIA EMAIL TO k.fields@carthagemo.gov.

Contact Name _____ Company _____

Address _____ City _____ State _____ Zip _____

Phone _____ Facebook/Instagram _____

Email address (REQUIRED) _____

MO Tax ID Number _____ Do you use fryers? Yes _____ No _____

Description of ALL Products. HIGHLIGHT any items you would like to consider exclusive for advertising.

Date(s) of desired participation:

April 14 _____ May 12 _____ June 9 _____ July 14 _____

August 11 _____ September 8 _____ October 13 _____

Electricity:

120volts _____ # of cords _____ amps

240volts _____ # of cords _____ amps

Truck/Booth Type: _____ truck; _____ trailer; or _____ tent/canopy (must be freestanding).

Space required/requested: Length of _____ feet; width of _____ feet; height of _____ feet;

*Space includes all trucks, trailers, generators, and equipment that will be used throughout the day. Trucks that can unhook from trailers need to be moved to a parking area by 10:30am. All vendors should plan to be 50 feet from a power source. If parallel parking your rig is an issue, please plan to arrive before other vendors to allow more room to maneuver or pull in versus parallel park.

BOOTH SPACE IS NOT GUARANTEED FOR RETURNING VENDORS. IN CATAGORIES THAT LIMIT THE NUMBER OF SIMILAR VENDORS ALLOWED, ALL REGISTRATIONS WILL BE ACCEPTED ON A FIRST COME/PAID, FIRST-SERVE BASIS.

_____ PLEASE INITIAL TO INDICATE YOU ACCEPT ALL TERMS STATED ON THIS APPLICATION.

By submitting the application, the undersigned acknowledges receiving, reading, and fully understanding all the included guidelines and regulations. I understand that submission of this application with the required documentation does not guarantee my admission to Food Truck Friday in Central Park. Experience Carthage, MO, City of Carthage, and affiliated venues, volunteers, and sponsors are NOT responsible for accidents or theft.

Signed _____ Date _____



2023 Food Truck Friday Documentation Checklist – Table Vendor

All documents and payment for event will reserve your spot.

All vendors at Food Truck Friday must complete the following documentation annually and provide copies to Experience Carthage, MO:

- ❖ Food Truck Friday 2023 Application
 - \$100.00 per event if you have retail sales/service sales. \$125.00 per event if electricity is required with retail sales
 - \$50.00 per event for recruitment/informational type booths. \$75.00 per event if electricity is required.
 - \$0 for Non-profit vendors. \$25.00 per event if electricity is required.
- ❖ Food Truck Friday 2023 Liability and Media Waiver
- ❖ City of Carthage Business License (\$50 annual | \$25 after July 1)
- ❖ Letter of No Tax Due from the State of Missouri
- ❖ Sales Tax Certificate from the State of Missouri
- ❖ Certificate of Business Liability Insurance with at least \$1 million in general liability, City of Carthage listed as the certificate holder and naming the City of Carthage (326 Grant St., Carthage, MO 64836) as an additional insured
- ❖ Jasper County Merchant License

VENDORS MUST CHARGE AND PAY SALES TAX. Each vendor must track and report sales tax. All sales from Food Truck Friday must be collected and allocated to the City of Carthage for sales tax purposes. Contact the Missouri Department of Revenue for details: <http://dor.mo/gov/faq/business/special.php>

All documents provided must be filed with the proper agencies, State, County, and Municipal licenses, inspections, and tax payments are ultimately the responsibility of the vendor and business owner. No copies will be retained on file by Experience Carthage, MO.

FOOD TRUCK & VENDOR GUIDELINES & REGULATIONS

1. Space is NOT guaranteed for returning vendors.
2. **Any vendor seeking a space at this event must submit the included application together with ALL the following: 1) Signed 2023 Food Truck or Vendor Booth Application, 2) Signed Food Truck Friday Accident Waiver and Release of Liability Form, 3) Copy of all documents on the Document Checklist, 4) Payment in full**
3. **If you sign up for an event you will be emailed an invoice. Invoices may be paid in person at Experience Carthage, MO (402 S Garrison Ave., Carthage, MO 64836), or over the phone at 417-423-8075 or at City Hall 417-237-7000. Cancellations due to weather will receive a credit off the following months registration fee. Cancellations due to emergencies will be evaluated on a case by case basis. No credit will be given for cancelations made with less than 48 hour notice before the event.**
4. Home canned or jarred items are not permitted, due to the Jasper County Health Department regulations.
5. All vendors should plan to have their booth open and staffed from 11:00 a.m. until 9:00 p.m. on scheduled date as indicated on application and assigned by event committee. Prior arrangements must be made for alternate hours.
6. VENDORS MUST CHARGE AND PAY SALES TAX. Each vendor must track and report sales tax. All sales from Food Truck Friday must be collected and allocated to the City of Carthage for sales tax purposes. Contact the Missouri Department of Revenue for details: <http://dor.mo.gov/faq/business/special.php>
7. If you use a tent, it must be free standing and fit within your booth space. You may not use ground poles. Some booth spaces may have light poles or other permanent structures.
8. Water will NOT be provided by event committee, City of Carthage, or area retailers. Vendors should plan to provide their own water.
9. NO GLASS BOTTLES in Central Park.
10. Trucks must be unhitched from trailers and parked in public parking spaces by 10:00 a.m.
11. Each vendor is responsible for moving trash to the dumpster at the end of the night.
12. Electricity is provided to all vendors. Applicant must declare all cords used with voltage and amperage. Carthage Water and Electric Plant sets up temporary panels in the park including: (4) – 50amp 4-wire 240volt outlets (Nema 14-50R) and (8) – 20amp 120volt GFCI outlets on each temp board. Please make sure to articulate your electrical needs on your application and contact event staff with any questions or concerns. It is not the responsibility of Experience Carthage, MO to provide extension cords for vendors. Please plan accordingly.
13. Never touch a temporary power panel. If you have a power concern, contact event staff immediately.

If you have any further questions prior to arrival at the event, please contact Katie Fields at Experience Carthage, MO at 417-423-8075 or by email at k.fields@carthagemo.gov

PLEASE REMEMBER THAT YOUR REGISTRATION CAN NOT BE ACCEPTED UNTIL WE HAVE RECEIVED YOUR COMPLETED SIGNED FORM, PAYMENT, AND ALL REQUIRED DOCUMENTATION.

FOOD TRUCK FRIDAY ACCIDENT WAIVER AND RELEASE OF LIABILITY FORM

FOOD TRUCK FRIDAY EVENT DATES FOR 2023:

April 14, May 12, June 9, July 14, August 11, September 8, October 13
Carthage Central Park (714 S. Garrison Ave., Carthage, MO 64836) 11am-9pm

I HEREBY ASSUME ALL OF THE RISKS OF PARTICIPATING AND/OR VOLUNTEERING IN THIS ACTIVITY OR EVENT, including by way of example and not limitation, and risks that may arise from negligence or carelessness on the part of the persons or entities being released, from dangerous or defective equipment or property owned, maintained, or controlled by them, or because of their possible liability without fault. I certify that I am physically fit, have sufficiently prepared or trained for participation in the activity or event, and have not been advised to not participate by a qualified medical professional. I certify that there are no health-related reasons or problems which preclude my participation in this activity or event.

I acknowledge that this Accident Waiver and Release of Liability Form will be used by the event holders, sponsors, and organizers of the activity or event in which I may participate, and that it will govern my actions and responsibilities at said activity or event. In consideration of my application and permitting me to participate in this event, I hereby act for myself, my executors, administrators, heirs, next of kin, successors, and assigns as follows:

- (A) I WAIVE, RELEASE, AND DISCHARGE from any and all liability, including but not limited to, liability arising from the negligence or fault of the entities or persons released, for my death, disability, personal injury, property damage, property theft, or actions of any kind which may hereafter occur to me including my traveling to and from this event, THE FOLLOWING ENTITIES OR PERSONS: Experience Carthage, MO, City of Carthage, County of Jasper, their directors, officers, employees, members, volunteers, sponsors, representatives, and agents, the activity or event holders activity or event sponsors, activity or event volunteers;
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I would like my business contact information shared with other organizations and individuals looking for Food Truck Vendor information.

☐ Yes. Share my information

☐ No. I would not like my information shared

PRINT FULL NAME

SIGNATURE

DATE

FOOD TRUCK FRIDAY TABLE VENDOR APPLICATION

PLEASE SUBMIT THIS FORM VIA EMAIL TO k.fields@carthagemo.gov.

Contact Name _____ Company _____

Address _____ City _____ State _____ Zip _____

Phone _____ Facebook/Instagram _____

Email address (REQUIRED) _____

MO Tax ID Number _____ Do you use fryers? Yes _____ No _____

Description of ALL Products. HIGHLIGHT any items you would like to consider exclusive for advertising.

Date(s) of desired participation:

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By submitting the application, the undersigned acknowledges receiving, reading, and fully understanding all the included guidelines and regulations. I understand that submission of this application with the required documentation does not guarantee my admission to Food Truck Friday in Central Park. Experience Carthage, MO, City of Carthage, and affiliated venues, volunteers, and sponsors are NOT responsible for accidents or theft.

Signed _____ Date _____

April 19th 2023



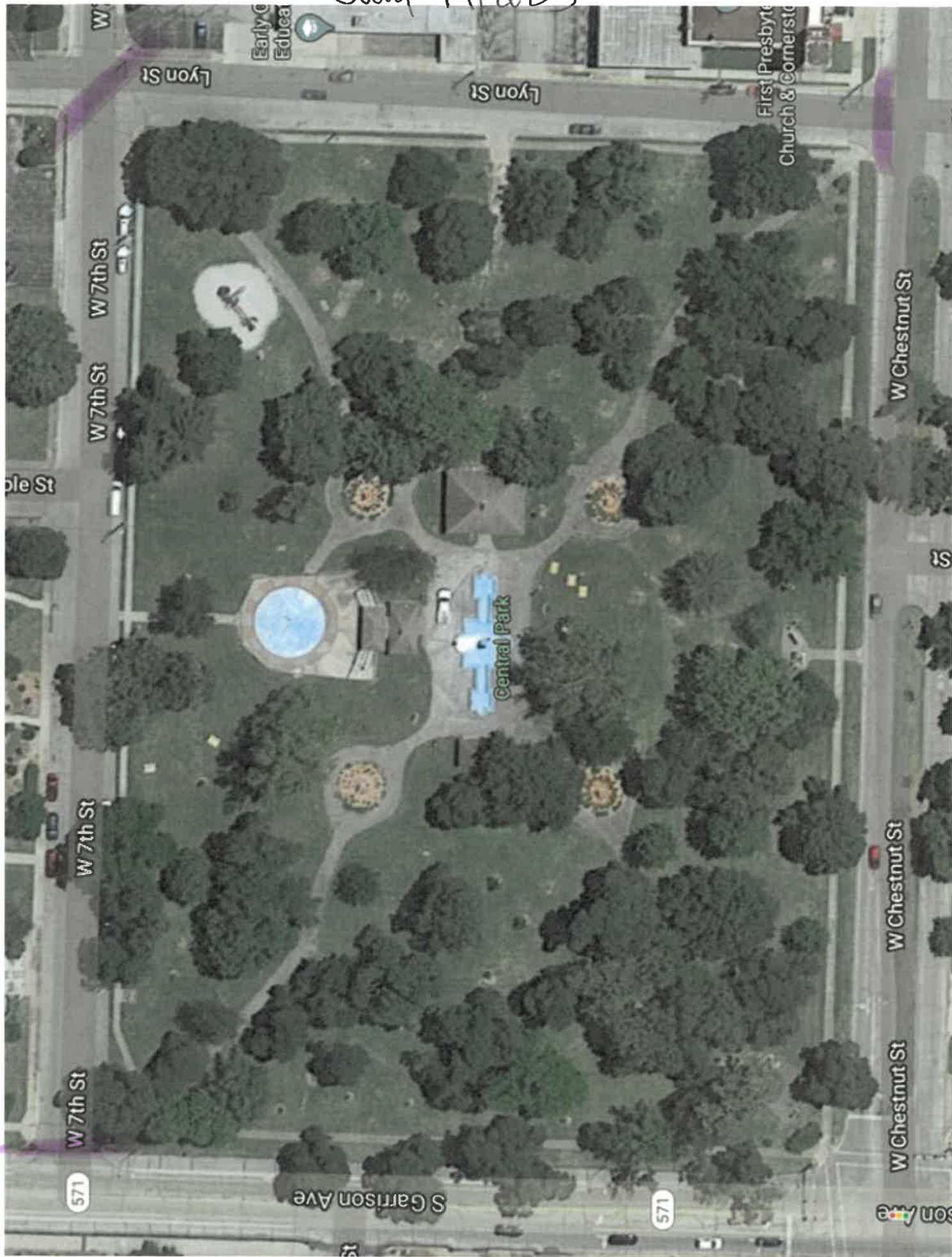
May 12th - Glow N' The Park Truck Show



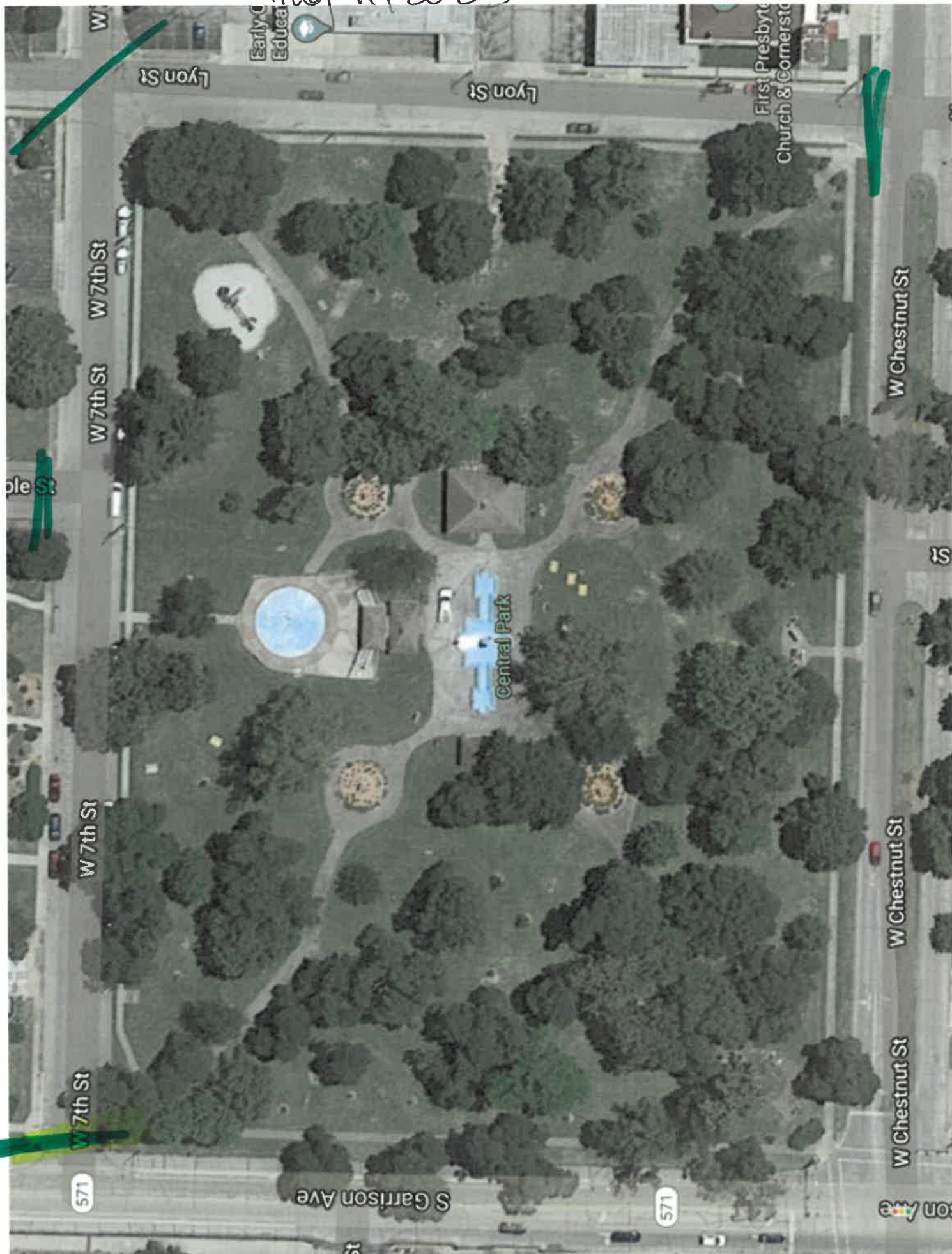
June 9, 2023



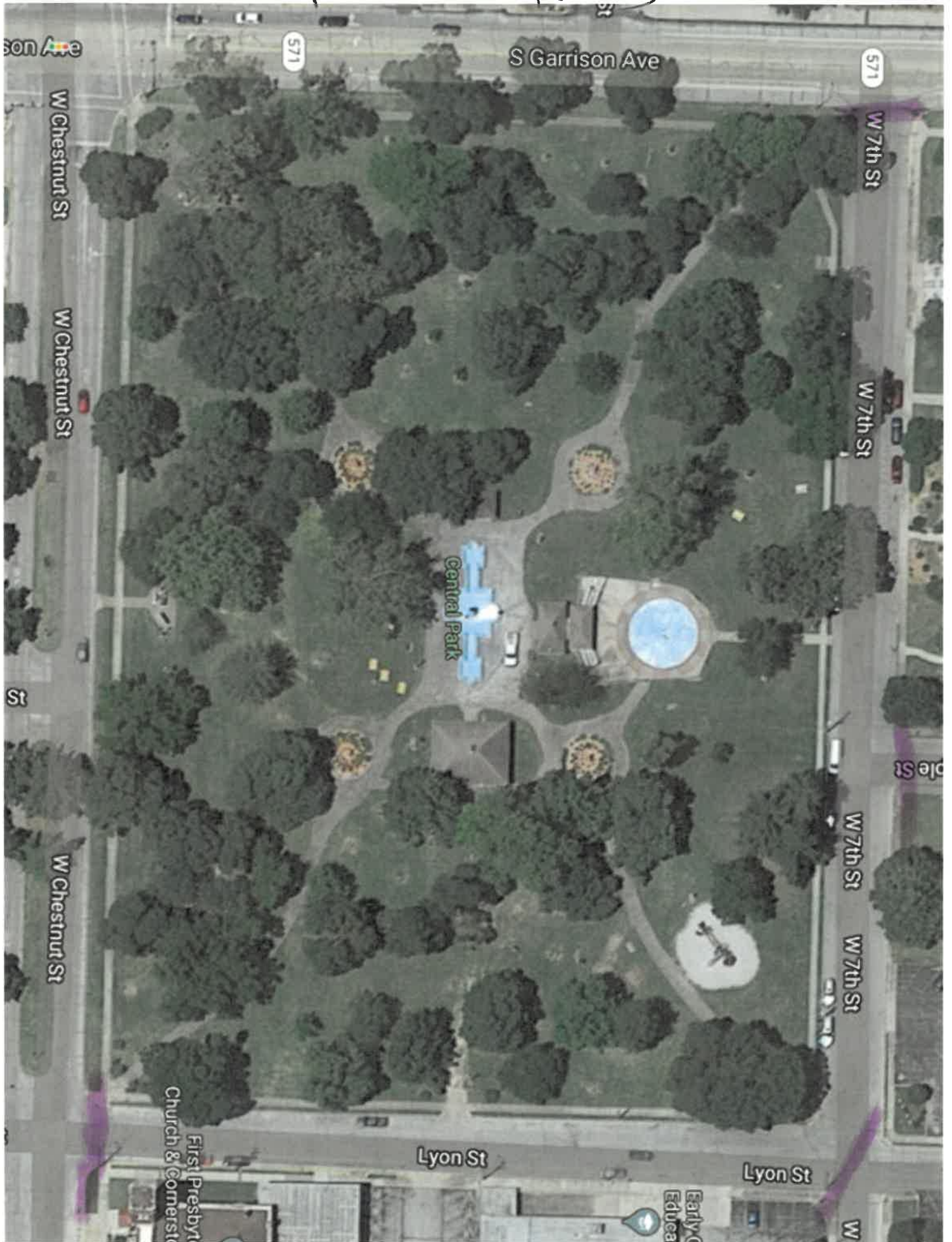
July 14, 2025



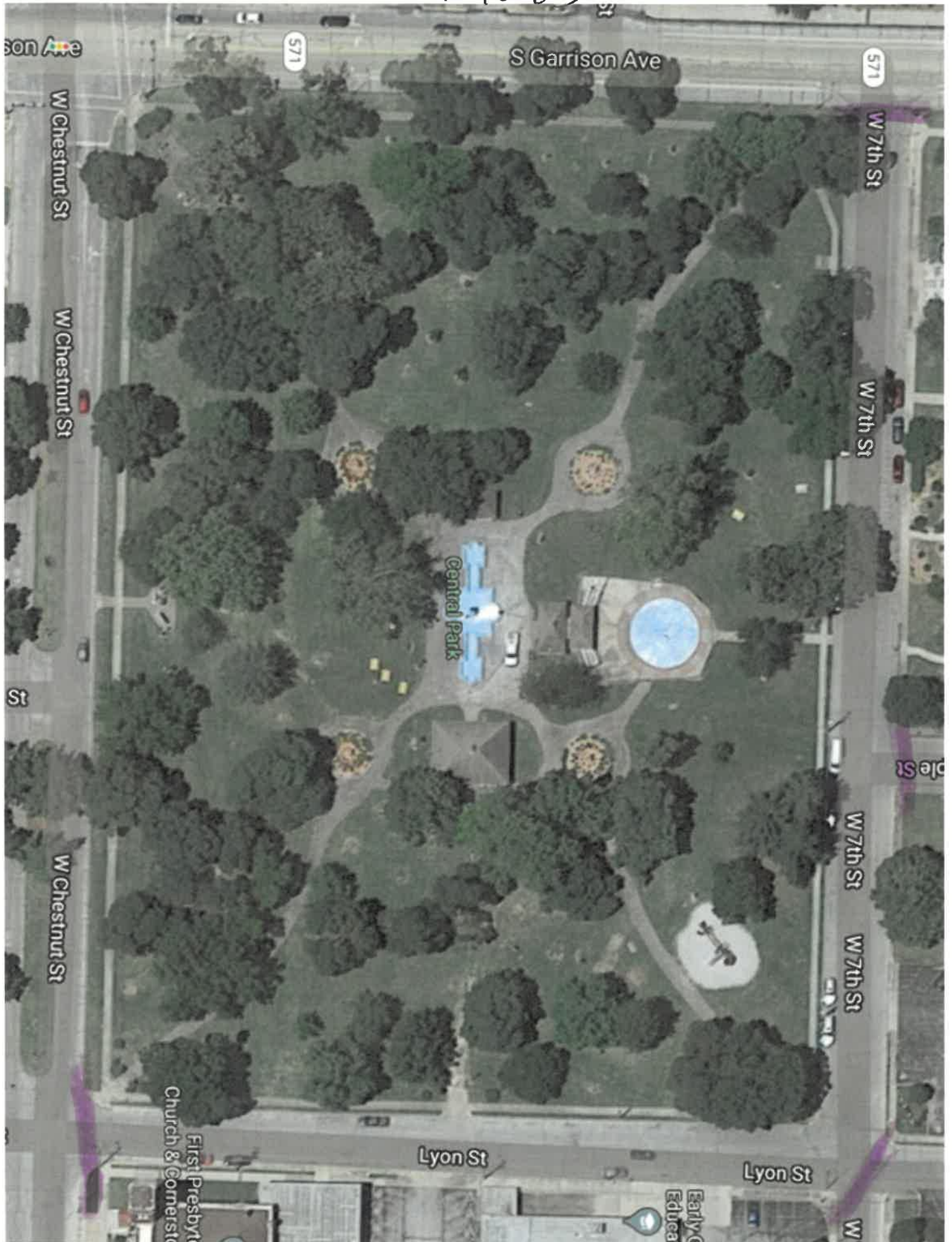
Aug 11, 2026



September 8, 2023



October 13, 2023



COUNCIL BILL NO. _____

ORDINANCE NO. _____

An Ordinance to amend Section 14-11 of the Carthage Code to comply with changes mandated by the Missouri Supreme Court and the Revised Missouri Statutes.

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

SECTION I: Section 14 of the Carthage Code is hereby amended to read as follows:

Sec. 14-11. - Court costs—Generally.

In addition to any fine that may be imposed by the municipal judge there shall be assessed as costs in all cases the following:

- (1) The Standard Municipal Court Cost (Clerk Fee), in the amount of twelve dollars (\$12.00) for municipal court costs, fifteen dollars for municipal ordinance violations filed before an associate circuit judge and thirty dollars for applications for a trial de novo of a municipal ordinance violation . RSMo 479.260 and RSMo 488.012.
- (2) Law Enforcement Training (LET) Surcharge, in the amount of two dollars (\$2.00). RSMo 488.5336.
- (3) Peace Officer Standards and Training Commission (POST) Surcharge, in the amount of one dollar (\$1.00). This fee shall be deposited with the treasurer of the State of Missouri in the peace officer standards and training commission fund to be used statewide for training of peace officers. RSMo 488.5336.
- (4) Crime Victim Compensation Fund (CVC) Surcharge, a surcharge of seven dollars and fifty cents (\$7.50) for the use and benefit of the Missouri Crime Victims' Compensation Fund, in accordance with RSMo 488.5339
- (5) Inmate Prisoner Detainee Security Fund (Inmate Fund) Surcharge, a surcharge of two

dollars (\$2.00) assessed as court cost to be deposited into an inmate security fund, in accordance with RSMo 488.5026.

(6) Judicial Education Fund, in addition to any fine imposed and cost assessed pursuant to law, an additional cost of one dollar (\$1.00) shall be assessed as cost in each municipal court proceeding in the city for violation of any municipal ordinance for the purpose of establishing a judicial education fund. The judicial education fund shall be used only to pay for: (1) the continuing education and certification required of the municipal judges by law or supreme court rule; and (2) judicial education and training for the court administrator and clerks of the municipal court. Provided further, the court shall retain more than one thousand five hundred dollars in the judicial education fund for each judge, administrator or clerk of the municipal court. Any excess funds shall be transmitted quarterly to the general revenue fund of the municipal treasury. (RSMo 479.260).

(7) In addition to any costs which may be assessed by the Municipal Division, pursuant to Statute, Ordinance, or Court Rule, in every proceeding filed in the Municipal Division for violation of an Ordinance, a surcharge of Seven Dollars (\$7.00) shall be assessed. Such surcharge shall also be assessed in cases in which pleas of guilty are processed in the Traffic Violations Bureau. No such surcharge shall be collected when the proceeding or defendant has been dismissed by the Court, when costs are waived, or when cost are paid by the City. Such surcharge shall be collected by the Municipal Court and paid monthly to the Missouri Director of Revenue to the credit of the Missouri Statewide Court Automation Fund, as provided in RSMo. Section 488.012.3(5) and Section 488.027.2, and RSMo 476.056

(8) Reimbursement fee on alcohol and drug DWI/DUI traffic offenses in accordance with RSMo 488.5334.

(9) Contracting for collection of delinquent court-ordered payments. The court may contract in

accordance with public agencies or with private entities operating under a contract with a state agency or the office of state courts administrator. Any fees or costs associated with such collection efforts shall be added to the amount due, but such fees and costs shall not exceed twenty percent of the amount collected. RSMo 488.5030.

SECTION II: This ordinance is to be considered an emergency ordinance under the terms of the charter of the City of Carthage.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2019.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

COUNCIL BILL NO. _____

ORDINANCE NO. _____

An Ordinance to amend Section 10-26(a) of the Carthage Code to amend the requirement for firefighters by lowering the age to 18, 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 10-26 of the Carthage Code is hereby amended to read as follows following:

- (a) No member of the city fire department shall serve as a firefighter (full-time or part-time) until he or she has reached their eighteenth (18th) birthday and is a citizen of the United States. No person shall continue to serve as a firefighter after his sixty-fifth (65th) birthday. No person shall serve as a firefighter within the city fire department unless he/she possess and maintains a telephone (landline or cell). Any employee assigned a city owned emergency response type vehicle shall reside within the limits previously delineated, or within the designated boundaries of the Carthage Fire Protection District. However, all fire employees have an obligation to respond to the fire department within a reasonable time at the discretion of the fire chief if a situation requires such response.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2022.

MAYOR

ATTEST:

CITY CLERK

Sponsored by: Public Safety Committee

REQUEST FOR COUNCIL BILL

I request a council bill be drafted to accomplish the following:

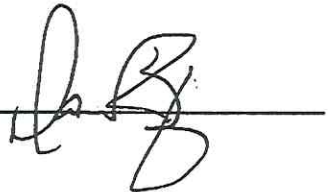
I am requesting to change the FD hiring age from minimum of 21 years of age to 18 years of age. (Section 10-26)

Date 1/24/2023

Signature 

This request was referred to the Public Safety Committee for their recommendation.

Date 1-26-23

Mayor 

The _____ Committee has voted in favor of sponsoring the above council bill.

Date _____

Committee Chairperson _____

The attached council bill has been prepared in accordance with the above request and is ready to be included on the agenda of the next council meeting.

Date _____

City Attorney _____

Change to 18

Sec. 10-26. - Qualifications of employees.

- (a) No member of the city fire department shall serve as a firefighter (full-time or part-time) until he or she has reached their twenty-first (21st) birthday and ~~is a~~ citizen of the United States. No person shall continue to serve as a firefighter after his sixty-fifth (65th) birthday. No person shall serve as a firefighter with the city fire department unless he/she possess and maintains a telephone (landline or cell), and resides within a fifteen (15) mile radius of the Fire Station located at 401 W. Chestnut in the City of Carthage. Any employee assigned a city owned emergency response type vehicle shall reside within the city limits or the designated boundaries of the city fire protection district.
- (b) The term "resides/residence" as used in this section, shall be defined as the true, fixed and permanent home and principal establishment, and to which whenever he/she is absent he/she has the intention of returning.
- (c) Applicants/current employees. Applicants or current employees who do not conform to the residency requirements established by this section, shall establish residence within the boundaries specified in this section within nine (9) months after the date of appointment for new hires or effective date of the ordinance from which this section is derived for current employees. In the discretion of the city administrator, person who, at the time the nine (9) months expires, have entered into a contract to purchase a residence for their use and who are prepared to move in within a reasonable time not to exceed six (6) months may be deemed to have met this requirement.

(Code 1978, § 205.060; Ord. No. 10-39, § I, 11-9-2010; Ord. No. 11-07, § I, 2-8-2011; Ord. No. 18-08, § I, 2-27-2018)

TABULATION OF BIDS

Bid for: PASS Devices

Date: February 9, 2023

Time: 10:00 A.M. - Carthage City Hall

Name of Company	Bid Amount	
Fire Master Fire Apparatus, Inc. Attn: Randy Lawson 2049 E Division Springfield, MO 65803	Amount Bid	\$12,899.70
	Grand Total	\$12,899.70
Feld Fire Attn: Greg Pottberg 1330 NW Jefferson St. Grain Valley, MO 64029	Amount Bid	\$14,784.00
	Grand Total	\$14,784.00
Leo M Ellebracht Company Attn: Dave Wonderland 104 Mullach Court Suite 1028 Wentzville, MO 63385	Amount Bid	\$14,314.37
	Grand Total	\$14,314.37
	Amount Bid	
	Grand Total	\$0.00
	Amount Bid	
	Grand Total	\$0.00

Witnessed by:
