# City of Carthage, Missouri

## CITY COUNCIL

August 22, 2023 - 6:30 PM
CITY HALL COUNCIL CHAMBERS

## MINUTES

The Carthage City Council met in regular session on the above date in the Council Chambers at 06:30 PM with Mayor Dan Rife presiding.

Fire Chief Ryan Huntley gave the invocation. Police Chief Bill Hawkins led the flag salute.

The following Council Members answered roll call: Brandi Ensor, Chris Taylor, Trudy Blankenship. David Armstrong, Robin Blair, Terri Heckmaster, Ed Hardesty, Alan Snow, Mark Elliff, and Tiffany Cossey.

City Administrator Greg Dagnan and City Attorney Nate Dally were also present.

The following Department Heads were present: Police Chief Bill Hawkins, Fire Chief Ryan Huntley, Public Works Director Zeb Carney, Parks & Recreation Director Abi Almandinger, Assistant City Administrator Traci Cox, City Clerk Miranda Deal and Deputy City Clerk Amy Taylor.

Mr. Elliff made a motion, seconded by Mr. Taylor, to approve the minutes of the August 8, 2023 Council Meeting. Motion carried unanimously.

Mr. Elliff made a motion, seconded by Ms. Blair, to approve the amended minutes of the July 25, 2023 Council Meeting. Motion carried unanimously.

During Citizen's Participation, Jeff Meredith spoke about Economic Development Incentives and stated he will be attending some of the committee meetings in the month of September, and offered to make videos for council and the public to help aid in education about some of the EDI plans.

Jonathan Roberts, 6226 County Road 120, thanked the City and the Council for allowing the Fair Acres YMCA to manage the City's outdoor pools over the summer. He reported on working with Carthage Parks Department and YMCA staff while making changes to the programs, making pool repairs, and the use of the new chlorination system. He reported large numbers of pool users for each pool, and said this summer's pool season went very well. He also reported there was lower attendance numbers than summer 2022, due to being open less this year.

Bren Flanigan, 801 S. Country Club Road, spoke of his displeasure with the CWEP/City issue. He offered his opinions on why he feels there is a breakdown of communication between the two.

Jana Schramm, 1521 Grand, spoke about her concerns regarding issues relating to the CWEP/City issue, expressed concerns about administration, and thanked certain members of council for being willing to open discussion about the CWEP board.

Darren Collier, 528 E. Centennial, Chairman of the Police and Fire Pension, discussed C.B. 23-60. BMO Harris Bank will no longer be the trust service provider for the pension, the trust will be transferred to MITC, beginning December 2023. No changes in fee schedules will occur at this time.

Mr. Snow reported the Budget Ways & Means Committee met on August 14 and August 16. He reported meeting with Boots Foundation about handling tourism and their visitor's center. In the meeting on August 16, he reported the discussion of hiring a tourism director, and the committee voted to have City staff move forward with the hiring. A motion was made to have the tourism director help Boots Foundation apply for a McCune-Brooks Trust grant, to be used to help complete the greenspace at Boots Court Visitor's Center. Their next meeting will either be a week early or week later due to the MML conference and depending upon member availability.

Ms. Blair reported that the Committee on Insurance met on this date and approved claims. She reported the discussion of pros/cons of C.B. 23-56. The committee voted to forward the original version due to the time constraint and to actively work on revising the ethics ordinance so there aren't two separate ones in the future. Ms. Blair also reported the discussion to amend the job descriptions of the Parks Superintendent and Golf Maintenance Supervisor to make the change from exempt to non-exempt positions and to add a weight to the heavy lifting requirement. Ms. Blair made a motion, seconded by Mr. Hardesty, to amend the job descriptions from exempt to non-exempt with the addition of the weight specifications. Motion carried. The committee also discussed approving up to $135 per employee for testing at the City's Health Fair being held in September. Ms. Blair made a motion, seconded by Ms. Cossey, to approve $135 per employee for testing at the Health Fair. Motion carried. During staff reports, Ms. Cox reported on the severing of services with OpenGov and closing the year-end financials. Mr. Dagnan spoke about the forensic audit. The next meeting is scheduled for September 12.

Mr. Elliff reported that the Public Safety Committee met August 21st. Reported under old business was the concern of a citizen about front yard parking, and possible changing of this ordinance. Chief Hawkins and Mr. Carney do not believe the ordinance needs changed. Also discussed was the Maple Leaf 5K Race to be held on Friday October 20, 2023. Mr. Elliff made a motion, seconded by Mr. Snow, to close George E Phelps Blvd., at Grand Ave to S Fulton Street, will be closed from 5:30pm to 7:30pm on Friday October 20th for the runners. Motion carried. There will also be officers present at race crossings limiting access from Airport Drive to Clinton Street. The 2023 Rallye in the Park will be held on September 17, 2023. Mr. Elliff made a motion, seconded by Mr. Snow, to approve the Street closures and backing into parking spaces for this event around and connected to the 800 block of S Main Street, S Main Street between Chestnut Ave and 9th Street and 9th Street between Main Street and Lyon Street be closed from 7am-3pm and Chestnut between Main Street and Lyon Street be closed from 12pm-3pm. In addition, vehicles have been given permission to back into parking spaces on Chestnut in the closed areas. In the event of inclement weather, the 800 block of Main between the main building and the Lighthouse building, 9th Street between Main and Lyon, and Chestnut Street between Lyon and Grant will be closed from 12pm - 3pm. Motion carried. Also discussed were the events taking place during Maple Leaf Festival, Julie Reams presented to the committee a packet of information with the different events. The road closures are the same as the past, she also asked for officer assistance for Octoberfest, the Taco Tuesday event, and for the Beer Garden on the square on Friday October 20. Mr. Elliff made a motion, seconded by Mr. Snow to approve the closures as in the past, the events, and to allow the vendors to sell under the Chamber for the Maple Leaf Festival. Motion carried. The Sheriff's annual fund raiser was discussed. Mr. Elliff made a motion, seconded by Mr. Hardesty, to close the South side of the square on October 7 from 4:30 – 9 PM. Motion Carried. Bids for the Fire Departments brush truck skid unit were discussed. There were 3 bids received. Mr. Elliff made a motion, seconded by Mr. Hardesty, to accept the lowest and best bid for the skid unit in the amount of $21,298.00. Motion carried. The next meeting is scheduled for September 18.

Mr. Hardesty reported that the Public Service Committee met August 15th. He reported the discussion of the KCAH fundraiser event in Carter Park. Mr. Hardesty made a motion, seconded by Ms. Heckmaster to allow the use of Carter Park on September 3 from 12-3 pm. Motion carried. Julie Reams presented the Maple Leaf events for this year and requested the use of the parks for multiple events. Mr. Hardesty made a motion, seconded by Ms. Ensor to allow the use of the parks for the Maple Leaf events. Motion carried. Council Bills 23-57 for the Fairway IQ contract and Council Bill 23-58 for the golf simulator agreement were also discussed. The committee discussed reinstating the Little League Charter. Mr. Hardesty made a motion, seconded by Mr. Armstrong to reinstate the Little League Charter. Motion carried. Also discussed was a parks events and programming funding, this will be reviewed again later. There was also a parks equipment and liability waiver presented to the committee for volunteers using parks equipment. Mr. Hardesty made a motion, seconded by Ms. Ensor to approve the equipment liability waiver. Motion carried. An independent contractor agreement for umpires and referees was discussed and approved. Mr. Hardesty made a motion, seconded by Ms. Heckmaster to approve the independent contractor agreement for umpires and referees and allow the Parks and Recreation Event Coordinator to be the City's representative of these agreements. Motion carried. An independent contractor agreement for Third Party Programming was discussed and approved. Mr. Hardesty made a motion, seconded by Ms. Heckmaster to approve the independent contractor agreement for Third Party Programming for classes, lessons and other various items and allow the Parks and Recreation Event Coordinator to be the City's representative of these agreements. Motion carried. The Halloween event on Grand and Main was discussed. The committee would like to officially close those streets for Halloween and allow portapotties and food trucks to park along the streets. Mr. Hardesty made a motion seconded by Mr. Taylor to approve the closures. After discussion, Mr. Elliff made a motion to table the previous motion until the September 26 Council Meeting after the Public Safety committee has a chance to review more information regarding the closures and additional items. Motion carried with Mr. Armstrong casting a nay vote. The committee approved new Memorial Hall rates, this would change it from a daily rate to an hourly rate which would allow for shorter events to take place. Mr. Hardesty made a motion, seconded by Mr. Armstrong to approve the rate changes for Memorial Hall. Motion carried. The 50 foot manlift bid was reviewed and came in $20,000 more than what was budgeted, so that bid was rejected. The Parks and Recreation Pricing and Cost Recovery Policy was discussed. The committee would like to make changes to simplify and shorten the language. The new policy appears in Council Bill 23-59. There is also an infestation of the trees by Emerald Ash Borer and many trees in the parks would need to be removed to stop the spread. The next meeting is scheduled for September 19.

Mr. Armstrong reported the Public Works Committee is between meetings. The next meeting is September 5. Mr. Armstrong reported that Resolution 2006 has been done in the past for the other TAP phases, and he believes this is one of the best grant programs the City has participated in.

Special Committee and Board Liaison Reports were given by Mr. Snow for the Carthage Water & Electric Plant Board, Mr. Armstrong for the Battle of Carthage, Inc., Ms. Blair for the Humane Society, and Ms. Blankenship for the Kellogg Lake Board.

Mayor Rife asked for a motion to contract with Lauber Law Firm for representation as special counsel for general municipal matters. Mr. Armstrong made a motion, seconded by Mr. Hardesty to contract with Lauber Law Firm for representation as special counsel for general municipal matters. Motion carried. Mayor Rife also asked for a motion to move the September 12 Council Meeting to September 14th at 5:30. Mr. Elliff made a motion, seconded by Mr. Hardesty motion to move the September 12 Council Meeting to September 14th at 5:30. Motion carried. Mayor Rife also reminded the Council of the work session on Monday at 5:30, with dinner beforehand for Council.

During reports from Council members, Mr. Snow encouraged that people put their differences aside and work together in order to move forward. Ms. Heckmaster questioned the article in the newspaper and how it came to be. Ms. Cossey expressed her concerns that she doesn't see there was a hiring committee when Mr. Dagnan was hired, that there was no contract, and has concerns about Mr. Dagnan's permission from Council for living outside the city limits, and his salary being set by ordinance.

City Attorney Nate Dally addressed the article in the newspaper, informed the council that Lauber Municipal Law Firm would be aiding in answering the questions raised by Ms. Cossey, discussed C.B. 23-56, spoke about severing the contract with OpenGov, and spoke briefly about the changes to CaseNet and the Police Department's ticketing system.

Police Chief Bill Hawkins reported he has two employees in the Police Academy.

Fire Chief Ryan Huntley reported the department aided in the Sudstock event last weekend, and will be helping with the Paddle Battle this coming weekend.

Parks and Recreation Director Abi Almandinger thanked Jonathan with the YMCA for his help over the summer, and invited everyone to attend the ribbon cutting ceremony at Carter Park at 4 PM on August 23.

City Administrator Greg Dagnan reported the hiring of a tourism director, who will begin work the second week of September. He stated there are currently no recall petitions, and addressed the CWEP/City issue. He also stated that he will speak with anyone to answer and questions they might have about any issue.

The Committee on Claims filed a report in the amount of $834,460.79 against the following funds: General Revenue $100,654.06, Public Health $168,061.26, Civic Enhancement $106,337.50, Parks/Stormwater $1,712.00, Fire Protection $4,000.50, Golf $14,689.70, Capital Improvements $11,062.72, Use Tax $3,033.00, Public Facilities $2,316.50, ARPA $789.47, and Payroll $421,804.08. Ms. Blair made a motion, seconded by Ms. Cossey, to accept the report and allow the claims. Motion carried.

Under Old Business C.B. 23-53 -- An Ordinance levying general taxes upon real property located within the City of Carthage, Jasper County, Missouri for the year 2023, for general revenue purposes and other purposes, and fixing the rates thereof was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Brandi Ensor, Chris Taylor, Trudy Blankenship, David Armstrong, Robin Blair, Terri Heckmaster, Ed Hardesty, Alan Snow, Mark Elliff, and Tiffany Cossey. The Council Bill was approved and numbered Ordinance 23-59.

C.B 23-54 -- An Ordinance amending the Annual Operating and Capital Budget of the City of Carthage for Fiscal Years 2022 – 2023 and 2023 - 2024 for specified funds (General Fund, Fire Protection Tax Fund, Parks/StormWater Sales Tax Fund, Civic Enhancement Fund, Capital Improvements Tax Fund, Public Facilities Fund, Use Tax Fund, ARPA Fund, Public Health Fund and Public Safety Fund) was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Brandi Ensor, Chris Taylor, Trudy Blankenship, David Armstrong, Robin Blair, Terri Heckmaster, Ed Hardesty, Alan Snow, Mark Elliff, and Tiffany Cossey. The Council Bill was approved and numbered Ordinance 23-60.

C.B. 23-55 -- An Ordinance rezoning certain property on 815 West Central Ave in the City of Carthage from “D” Local Business and “B Second Dwelling” to “E” General Business as requested by Jason Choate was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Brandi Ensor, Chris Taylor, Trudy Blankenship, David Armstrong, Robin Blair, Terri Heckmaster, Ed Hardesty, Alan Snow, Mark Elliff, and Tiffany Cossey. The Council Bill was approved and numbered Ordinance 23-61.

Under New Business, C.B. 23-56 -- An Emergency Ordinance to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials was placed on first reading.

Mr. Armstrong made a motion, seconded by Mr. Elliff, to forward the council bill to second reading due to its emergency status. Motion carried.

C.B. 23-56 -- An Emergency Ordinance to establish a procedure to disclose potential conflicts of interest and substantial interests for certain municipal officials was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Brandi Ensor, Chris Taylor, Trudy Blankenship, David Armstrong, Robin Blair, Terri Heckmaster, Ed Hardesty, Alan Snow, Mark Elliff, and Tiffany Cossey. The Council Bill was approved and numbered Ordinance 23-62.

C.B. 23-57 -- An Ordinance authorizing the Mayor to enter into a contract with Fairway IQ Inc. to provide an annual subscription for GPS sensors for Golf Carts, in the City of Carthage, Missouri was placed on first reading with no action taken.

C.B. 23-58 -- An Ordinance authorizing the Mayor to enter into a contract with the Fair Acres Family YMCA, Inc. for a use agreement of a Golf Simulator, in the City of Carthage, Missouri was placed on first reading with no action taken.

C.B. 23-59 -- An Ordinance repealing and replacing the cost recovery fees for the Parks Department, in the City of Carthage, Missouri was placed on first reading with no action taken.

C.B. 23-60 -- An Ordinance authorizing the Mayor to execute amendments to the Police and Fire Pension Plan to change the trust service provider was placed on first reading with no action taken.

C.B. 23-61 -- An Ordinance authorizing a special use permit for a one licensed operator beauty shop by Brittany Parish in her residence at 1330 Glenwood Place in the City of Carthage, Missouri was placed on first reading with no action taken.

During Mayor's Appointments,

Mr. Elliff made a motion, seconded by Mr. Snow, to approve the appointment of Joe Ryder to the McCune-Brooks Hospital Board until January 2027. Motion Carried.

Mr. Elliff made a motion, seconded by Mr. Snow, to approve the reappointment of Bill Barksdale to the Planning, Zoning, & Historic Preservation Commission until August 2027. Motion Carried.

Mr. Armstrong made a motion, seconded by Mr. Snow, to approve the reappointment of Michael Miller to the Care Leave Committee until August 2025. Motion Carried.

Mr. Armstrong made a motion, seconded by Mr. Snow, to adopt Resolution 2006 -- A Resolution of the Council of the City of Carthage, Missouri expressing support of the City's application for funds through MoDOT's Transportation Alternatives (TAP) Program and authorizing the submission of an application relating to the proposed Carthage Sidewalk Improvements Project, Airport Dr, from River to 571 and Fairview from River to Pearl, in the City of Carthage, Missouri. Resolution 2006 was adopted after a roll call vote of 10 yeas and 0 nays. Ayes: Brandi Ensor, Chris Taylor, Trudy Blankenship, David Armstrong, Robin Blair, Terri Heckmaster, Ed Hardesty, Alan Snow, Mark Elliff, and Tiffany Cossey.

During Closing Comments, Ms. Blair asked that council and citizens use their feelings constructively, and to gain perspective on current issues. Mr. Hardesty expressed his frustration with the ongoing CWEP/City issue and stated he expects to see several names on the ballot come election time. He encouraged that people work together, and not against each other, and stated that he is proud of the City employees and the CWEP employees for their hard work. Mr. Snow stated he is excited for fall, Carthage football and soccer, and thanks the teachers for their work. Ms. Cossey stated she believes all current council members are have pure intentions, that Mr. Elliff is a man of conscience, and that council members have the right to vote how they want. She encourages the City to have more transparency. Ms. Ensor stated, in regard to an earlier comment, that she was under the impression the Ad Hoc Committee was formed, in part, to aid in the conduction of the Salary Study for CWEP, and thanked Julie for her hard work.

Ms. Blankenship made a motion, seconded by Mr. Armstrong, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 8:30 p.m.

Dan Rife, Mayor

Miranda Deal, City Clerk