



City of Carthage, Missouri **SPECIAL CITY COUNCIL**

April 11, 2024 - 6:30 PM
CITY HALL COUNCIL CHAMBERS

MINUTES

To hear the full comments and discussions, please refer to the recorded Youtube video of this meeting.

<https://www.youtube.com/watch?v=OZJfx9wjv8Y>

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

Deputy Fire Chief Jason Martin gave the invocation. Police Chief Bill Hawkins led the flag salute.

The following Council Members answered roll call: Christopher Taylor, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, Jana Schramm. City Administrator Greg Dagnan and City Attorney Nate Dally were also present.

The following Department Heads were present: Police Chief Bill Hawkins, Deputy Fire Chief Jason Martin, Parks & Recreation Director Abi Almandinger, Assistant City Administrator Traci Cox, and City Clerk Miranda Deal.

Before Citizen's Participation, Mayor Rife addressed the Council and the audience regarding the new members of council and a group they are a part of. He also addressed things that happened after the Tuesday evening council meeting. He stated that Council meetings are a limited public forum, the first amendment does not apply in the same way. There is an agenda and business to be dealt with.

During Citizens Participation, Joel Terry 2219 Alison, thanked Mr. Huntley for taking responsibility on the storm siren issue during the last storm. He also quoted a statement that Mr. Dagnan gave in an interview regarding misconduct. He brought up the Mark Peterson issues.

Mr. Dagnan stated that he has all the information for the council to review regarding Mark Peterson prior to the police department getting involved.

Mr. Terry continued on about how Mr. Dagnan conducted his job, he was gaveled down by Mayor Rife due to personal attacks towards Mr. Dagnan.

Gina _____ - did not give an address- addressed the council about Missouri being an at will employment state.

Bill Lasley addressed the council about a statement that KSN had from Mr. Dagnan regarding the CWEP issue from the summer of 2023. He also stated that Mr. Dagnan is an employee at

will and that his hiring is different than others and that the Council and Mayor agree to hire, but he can be fired with just the Council's approval.

Mr. Dagnan stated that since Mr. Lasley brought up the CWEP issues, he has a binder with all of that information as well for the council members to review it.

Chris Taylor read off section 2-528 of the City Code regarding prohibition of interference.

Ms. Cossey spoke to Mr. Taylor about the section of the code he read. She stated that what he read deals with individuals trying to interfere, and not city council trying to deal with employee personnel issues. She also asked the Mayor about his comments regarding council members breaking the sunshine law and what those were. Mayor Rife stated that the resolution that was presented in an email from Ms. Cossey had four council members listed as the sponsor, of which three of them are on the same committee together making it a quorum if they were meeting to discuss this resolution.

Brandy Raney 1421 Clinton, spoke to Mr. Huntley and then spoke to the Mayor about him gaveling down Joel Terry when the Mayor opened the meeting with criticism of anyone who is a part of CCU and any council member who was a part of it.

Mr. Terry finished what he was saying about Mr. Dagnan.

Ms. Cossey stated that the first agenda item was not what she motioned for it to be.

Ms. Cossey made a motion, seconded by Ms. Schramm to amend item 1 under new business to read "discuss impeachment of Mayor Rife and the dismissal of Greg Dagnan" Motion carried with a show of hands vote of 7-2. Ayes: Peterson, Heckmaster, Edge, Snow, Barlow, Cossey, Schramm. Nays: Taylor and Leece

Ms. Cossey stated that impeachment is a long process and that it would not happen at tonight's meeting. There would be several meetings required for this process. Ms. Cossey made a motion, seconded by Ms. Schramm, to hire the Paul Martin Law Firm for the impeachment of Mayor Rife. Motion carried with a show of hands vote of 8-1. Ayes: Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, Schramm. Nays: Taylor

There was a lot of discussion regarding Mr. Dagnan's hiring and employment and why the council is trying to remove him.

Mr. Snow made a motion to renew his motion to remove Mr. Dagnan. Ms. Cossey seconded the motion. Mayor Rife ruled it an inappropriate motion.

Mr. Snow appealed the ruling of the Mayor according to Rosenberg's Rules of Order. Mr. Snow moved that the Mayor's ruling that the motion to dismiss was out of order, overruled by the council. Ms. Cossey seconded. Mr. Snow moved for the vote to dismiss Mr. Dagnan. Motion carried by a vote of 7 yeas and 2 nays. Ayes: Peterson, Heckmaster, Edge, Snow, Barlow, Cossey, Schramm. Nays: Taylor and Leece.

Mayor Rife said that the motion was not binding since he did not agree with the vote to remove Mr. Dagnan. There was a lot of discussion regarding whether or not the motion was binding. Ms. Cossey referred to the Rosenberg's Rule of Order regarding the vote. Mr. Dally quoted the charter and the code regarding the removal of City Administrator.

Ms. Cossey made a motion, seconded by Ms. Schramm to allow Mr. Lasley to speak to the council on the ordinance to remove the City Administrator. Mayor Rife said he would not allow it. Ms. Cossey made an appeal of that ruling. Ms. Cossey made a motion, seconded by Mr. Peterson to allow Mr. Lasley to speak to the ordinance. Motion carried with a vote of 7 yeas and 2 nays. Ayes: Peterson, Heckmaster, Edge, Snow, Barlow, Cossey, Schramm. Nays: Taylor and Leece

Mr. Lasley stated that Mr. Dagnan is an employee at will and that it takes both council and Mayor to hire and only one of them to fire.

Mr. Dagnan stated that the council has not followed the proper rules and procedures for firing him. He has spoken to many attorneys and there is a process to fire him and it has not been followed.

Ms. Cossey made a motion, seconded by Ms. Schramm, to get permission from council to speak with the Paul Martin law firm regarding Mr. Dagnan's removal. Motion carried with a vote of 7 yeas and 2 nays. Ayes: Peterson, Heckmaster, Edge, Snow, Barlow, Cossey, Schramm. Nays: Taylor and Leece

Ms. Schramm stated that the resolution for the media policy was not ready in time. She stated that speaking to the media on the City's behalf should not be permitted unless the council or the committee has given permission. This is not meant to suppress free speech and this does not apply to emergency services.

Ms. Cox stated that this was a policy change and would have to go through the Insurance Audit and Claims committee.

Ms. Schramm made a motion, seconded by Mr. Peterson, to table the policy change until the next council meeting so it could go to committee. Motion carried.

Ms. Cossey made a motion, seconded by Ms. Schramm to go into closed session according to section 610.021(3), the agenda includes the possibility of a vote to close part of the meeting to discuss hiring, firing, disciplining or promoting or particular employees by a public governmental body when personal information about the employee is discussed or recorded. Motion carried at 7:59 pm by a show of hands vote of 7 yeas and 2 nays.

CLOSED SESSION

Ms. Cossey made a motion, seconded by Mr. Taylor to return to open session at 9:34 pm. Motion carried with a show of hands vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm.

Ms. Cossey made a motion, seconded by Ms. Schramm, to hire three municipal law attorneys to render an opinion on whether or not the council can immediately dismiss Mr. Dagnan. The opinions would be due by April 26. Motion carried by a show of hands vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm.

Ms. Cossey made a motion, seconded by Ms. Schramm, to hire special counsel to assist Mr.

Dally with the functioning of his duties. Motion carried by a show of hands vote of 7 yeas and 2 nays. Ayes: Peterson, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Nays: Taylor and Leece.

Ms. Cossey made a motion, seconded by Ms. Schramm, to have a special meeting on Wednesday April 17 at 6:30 to discuss who to seek opinions from regarding the dismissal of Mr. Dagnan, to discuss special counsel possibilities to assist Mr. Dally, and should the council decided to table the second closed session from this evenings agenda, include that as well. She further asked to be able to add additional items to the agenda within the 24 hours of advance notice that is required.

Ms. Cossey motioned to have the meeting at Memorial Hall to accommodate a larger crowd. Mayor Rife stated that Memorial Hall would not be able to live stream and record the meeting. Ms. Cossey withdrew her motion to have it at Memorial Hall.

Motion for the special meeting on April 17 carried with a show of hands vote of 8 yeas and 1 nay. Ayes: Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Nays: Taylor

Ms. Cossey made a motion, seconded by Mr. Snow, to adjourn the regular session of the Council meeting. Motion carried and meeting adjourned at 9:40 pm.

CLOSED SESSION
MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
April 11, 2024

The Carthage City Council met in special session on the above date in City Hall Council Chambers at 6:30 p.m. with Mayor Dan Rife presiding.

Ms. Cossey made a motion, seconded by Ms. Schramm, to close the meeting according to Section 610.021 (3) the Agenda includes the possibility of a vote to close part of the meeting to discuss hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded, she also asked for only city council, the Mayor, and the City Clerk be present for the closed session, followed by a roll call vote of 7 yeas and 2 nays. Ayes: Peterson, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Nays: Taylor and Leece. Motion carried at 7:59 pm.

There was a short recess before the closed session started. Council went into closed session in the upstairs City Hall conference room at 8:05 p.m.

The following Council Members answered roll call: Chris Taylor, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm.

City Clerk Miranda Deal was also present.

The council had discussions regarding Mr. Dagnan's employment as well as the duties of the City Attorney.

Council Member Derek Peterson excused himself from the room at 8:55 pm due to a conflict with the next subject.

There was a conversation about what happened with Mark Peterson and the forensic audit at the golf course.

Mr. Peterson returned to the meeting at 9:04 pm.

No votes were taken in closed session.

Mr. Snow made a motion, seconded by Ms. Heckmaster, to return to the regular session of the Council Meeting at 9:30 p.m. followed by a roll call vote of 9 yeas and no nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Motion carried.

Respectfully submitted,

Miranda Deal
City Clerk