



City of Carthage, Missouri

CITY COUNCIL

September 10, 2024 - 6:30 PM
CITY HALL COUNCIL CHAMBERS

****AMENDED AGENDA****

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**
 1. Approval of August 27, 2024 Minutes
6. **Presentations/Proclamations**
 1. David Gaines
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**
 1. Agendas and Minutes of Standing Committees
9. **Reports from Special Committees and Board Liaisons**
 1. Agendas and Minutes of Special Committees
10. **Report of the Mayor**
11. **Reports/Remarks of Councilmembers**

(During reports/remarks of councilmembers, members of the council may take this opportunity to report on meetings, make comments and/or express concerns regarding current issues impacting the city, or make announcements concerning topics of interest of the council.)
12. **Administrative Reports**
 1. Financial Reports
13. **Report of Claims Presented Against the City**
 1. Motion and a second to approve the Claims
14. **Public Hearings**
15. **Old Business**
 1. C.B. 24-44 -- An Ordinance authorizing the Mayor to enter into a partnership agreement with Contractors Portables to supply portable restrooms and handwashing units for various park locations and special events in the City of

Carthage, Missouri.

2. C.B. 24-45 -- An Ordinance authorizing the Mayor to enter into a contract with Midland Enterprises for repairs to the Parks and Recreation building in Municipal Park in the amount of \$56,779.00, in the City of Carthage, Missouri.

16. New Business

1. Discussion of Unauthorized Payments
2. Consider and discuss adoption of Revised Articles of Impeachment

17. Executive Session

1. **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 OF PARTICULAR EMPLOYEES BY A PUBLIC GOVERNMENTAL BODY WHEN PERSONAL INFORMATION ABOUT THE EMPLOYEE IS DISCUSSED OR RECORDED.

18. Mayor's Appointments

1. Fire Chief

19. Resolutions

1. Resolution 2053 -- A Resolution authorizing a supplemental budget adjustment to the Golf Fund for Fiscal Year 2024-2025 for a line item adjustment of \$20,000 to the Maintenance line item for the purchase of bluegrass seed to be used on the fairways to help reduce winterkill

20. Closing Comments

21. Adjournment

1. Additional Packet Correspondence

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

CITY COUNCIL

August 27, 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=VQSpRxUvqu8>

The Carthage City Council met in regular session on the above date in Council Chambers at 06:30 PM with Mayor Dan Rife presiding. Fire Marshall Eli Maples gave the invocation. Police Chief Bill Hawkins led the flag salute.

The following Council Members answered roll call: Chris Taylor, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm. Council Member Derek Peterson did not join the meeting until 8:21 pm. Interim City Administrator Traci Cox and City Attorney Jon Gold were also present.

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

Ms. Cossey made a motion, seconded by Mr. Snow to approve the minutes of the August 13, 2024 Council Meeting with the following amendment. In The fourth paragraph down addressing the changes to the meeting before that about the person who identified himself as merchant of hate. Ms. Cossey would like the minutes to still have merchant of hate because that is how he identified himself and also have his real name and address if we have it. Motion carried with the amendments.

During Citizen's Participation, Regina Wells 2026 S Maple, thanked Ms. Heckmaster, Ms. Schramm, Ms. Cossey, and Mr. Taylor for helping find ways to take care of the speeding on her street. She also thanked Chief Hawkins for his help as well. She thanked Mr. Taylor for his work with the fire department on the storm siren issue in her neighborhood. With Mr. Taylor and the help of the safety committee, the dangerous tree has been removed. She also thanked Mr. Carney and Wyatt Hettinger with public works for talking to the owner about the tree, he was cooperative and even paid for the removal. She thanked all involved for their help and thanked the citizens for showing their concerns. She also asked questions on the proposed trash rates, it was determined at the last meeting that there was a typo between the family and senior rates. She also asked about property tax increases and a cap on them for senior citizens and what process she may need to go through for that. Ms. Cox told her that there is no top, but that rates were not going up this year, she told Mrs. Wells to call her to discuss increases on senior citizens, Ms. Cossey mentioned a state law that may be the localities decision on the senior rate cap.

John Cooper 311 E Highland, is a former employee of the fire department who was there for over 40 years spoke on the hiring of a fire chief. He says that the employees need to trust the

chief and the chief has to trust the employees and he was part of the hiring of some of the employees including Jason Martin. Everyone makes mistakes, and they regret them later, but it is too late to take back. He believes that the right person for the fire chief position is Jason Martin. He was an employee when the charter was done, and the City Administrator only had the power that the Mayor gave him. He stated he knows what it takes to be a fire chief and Jason Martin has what it takes. He ended with a saying from the book of James: be quick to listen, slow to speak, and slower to anger because that does not speak well to God. He asked the council to take that into consideration before making a decision.

Misty White, 1647 S Garrison, addressed the letter written by Mark Peterson, she doesn't think it is right for us to discriminate against anyone based on their political beliefs. Whatever side of the fence your on doesn't matter, what matters is your ability to do the job. The support of the fire station for Jason Martin and the fact that he is the interim fire chief proves that he has the ability to do the job.

Patt Goff, 1163 Grand Ave, he encouraged an open discussion of Council Bill 24-46 that is on the agenda. He attempted to make his comments available to the council members, but some of them didn't go through. He had a few questions, including why is another audit necessary? Are there issues that have been addressed to the CW&EP Board? It bothers him that we might be headed back down the road that started in the spring of 2023, another effort to discredit CW&EP, efforts to impugn the board and employees. Is it a priority for use of City funds for this audit? Some are concerned about the amount of legal fees that are necessary to get us through some of these problems. Using city funds to do an additional audit of CW&EP and duplicating work for the CPA firm that does the annual audit is problematic. As a past board member, he recalls the board routinely reviewing all of the financials at the meetings. He would like the council to pause and think and ask the questions he did. He also asked if this action would help heal the city or drive the wedge deeper.

Bill Lasley, Business one block west of the square. He was present to discuss the 2 hour parking enforcement on and around the square. He states that people park in front of his office all day and there is a fire hydrant there they block as well. He claims he calls the police department and nothing is ever done. He wants the issue to be addressed because it is hurting business on and around the square. He asked for the 2 hour parking ordinance to be enforced.

Mr. Snow reported that the Budget Ways and Means Committee is between meetings with the next meeting scheduled for September 9 at 5:30.

Ms. Cossey reported that the Committee on Insurance, Audit and Claims met on this day and approved the claims. The Committee also reviewed two ordinances changes that are in Council Bill 24-47 and 24-48. She had asked them to be an emergency and the Mayor had removed the emergency language. Ms. Cossey made a motion, seconded by Ms. Heckmaster, to suspend the rules and move both council bills to second reading when those council bills were read. Motion carried with a vote of 6 yeas and 2 nays. Ayes: Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Nays: Taylor and Leece. It was said after the vote, it only needed a majority of council members to advance. Motion carried. The next meeting is scheduled for September 10 at 5:30.

Ms. Heckmaster reported that the Public Safety Committee met on August 19. Jeanette Nye was present to ask for barricades and a soft street closure for the Maple Leaf 5K event. She also asked for officers present at the street crossings. Ms. Heckmaster made a motion, seconded by Mr. Snow, to approve of the barricades and soft street closure from George E

Phelps at S Grand Ave to S Fulton Street, officers at crossings and limiting access from Airport Drive to Clinton Street on October 18 from 5:30-7:30 pm. Motion carried. Jude Champagne was present to discuss Rallye in the Park on September 15. They requested road closures and parking for the car show. Ms. Heckmaster made a motion, seconded by Mr. Snow, to approve the closures of S Main between Chestnut Ave and 9th St, and 9th St between Main and Lyon St and in the event of rain, close Chestnut between Main St and Lyon Street between 12-3, and to allow cars to back into parking spaces along Chestnut. Motion carried. The committee also heard from Regina Wells on the speeding on the 2000 block of South Maple, the police department is going to do a traffic study at the intersection of Elk and Maple, and then at Elk and Main as well and report back to the committee next month. Julie Reams was present to ask about road closures for the Maple Leaf Parade. The closures are the same as in years past with an exception of the northwest corner being closed longer for set up and take down of the stage. Ms. Heckmaster made a motion, seconded by Mr. Snow, to approve of the closures as in years past, the closure and vacating of the square on October 14 from 5-8 pm for the touch a truck event, the closure of the corner of 3rd and Main on October 18 from 8 am until 10 am Sunday morning. Motion carried. They also heard from Julie about security officers for events with alcohol. Ms. Heckmaster made a motion, seconded by Mr. Snow to have the Carthage Police Department provide security for the beer gardens at Oktober fest on October 12 and the Concerts on the Square October 18-19. Motion carried. Ms. Reams also asked for vendors to be allowed to sell under the Chamber of Commerce City business license and to place signage on City owned property and utility poles. Ms. Heckmaster made a motion, seconded by Mr. Snow to allow vendors to sell under the Chamber's license and to place signage on City property. Motion carried. The committee reviewed cleaning bids for the Police Department. Ms. Heckmaster made a motion, seconded by Mr. Snow to approve the bid of \$1,600 per month from Michelle Naaykens. Motion carried. She also reported that the committee heard a police department employee had resigned, and thanked the fire department for their quick response at a food truck Friday emergency. The next meeting is scheduled for September 16 at 5:30.

Mr. Edge reported the Public Services Committee met on August 20. They heard from the Department of Conservation regarding a grant opportunity for the Ash trees within the City parks, more information will be coming in the future. They heard from Julie Reams about the requests for the use of the parks for the Maple Leaf Festival, there are no changes from previous years. Mr. Edge made a motion, seconded by Ms. Heckmaster to approve the use of the Parks for the Maple Leaf Festival. Motion carried. Community Foundation of the Ozarks has given a grant to the Joplin Trails Coalition for the resurfacing of the trail and parking lot improvements at the start of the Ruby Jack trail. The parking lot is owned by the City so the coalition has requested permission from the City to proceed with accepting the grant. Mr. Edge made a motion, seconded by Ms. Leece, to approve the participation in the grant for the Ruby Jack repairs. Motion carried. The committee also discussed bids for the Parks building repair, that appears in Council Bill 24-45. The committee approved applying for a year round liquor license for tournaments and special events only. They approved a contract for porta potties that appears in Council Bill 24-44. They also approved the purchase of blue grass seed for the golf course, this will have to go to budget committee first for an adjustment before it comes to council. The next meeting date will be determined later, there will not be a quorum on September 17.

Mr. Taylor reported that the Public Works Committee is between meetings with the next meeting scheduled for September 3 at 5:30.

Special Committee and Board Liaison reports were given by Ms. Heckmaster for Planning, Zoning, and Historic Preservation, Mr. Edge for Vision Carthage, Ms. Leece for Carthage Water and Electric Board, and Mr. Snow asked the Mayor about the City Administrator Hiring Committee.

Mayor Rife reported he attended the recent CEDC meeting.

During Remarks from Council Members, Ms. Leece said she heard there were a lot of people who went to Sudstock and she thanked everyone that was involved. She also thanked the Street department, Josiah Bayless, and CW&EP for taking care of a recent situation with a citizen. Ms. Heckmaster was pleased with the Sudstock event, she reminded everyone of the Cruisin Main event that is scheduled for Friday August 30. Mr. Snow asked the Mayor what the purpose of Council Bill 24-46 was and asked if he had talked to the CWEP staff if there were issues that he was aware of. He brought up the issues from the past year and that it has caused a divide in the City. He asked the Mayor to rescind this council bill because he believes there is a personal vendetta and asked for the Mayor's resignation. Ms. Cossey agreed with what Mr. Snow had said.

Police Chief Bill Hawkins reported that the traffic study is going well on South Maple and he should have good information to present at the next public safety meeting. He also addressed the parking issues that Mr. Lasley brought up. He said if there is any issue, to just give him a call and he will personally take care of it.

Deputy Fire Chief Jason Martin reported that this Labor Day weekend the Fire department will be doing their boot walk at Walmart to raise money for muscular dystrophy. He also addressed Mr. Lasley's comments about people parking in front of a fire hydrant and said that if that happens again, to call the fire department and he will go take care of it. He also thanked everyone that helped put on Sudstock, he thanked the mechanics from the street department for their work on a ladder truck that saved thousands of dollars.

Parks and Recreation Director Abi Almandinger reported that Griggs Park playground is underway and that the dog park is near completion.

Interim City Administrator Traci Cox reported that she is working with insurance to settle the first severe weather claim from this year. She has sent the salary study information to McGrath so they can get started on the salary updates. The County Collector's office had their annual tax sale in Council Chambers on Monday morning, they reported that it went well. She also thanked everyone for their work on getting the tree at the corner of Maple and Fairview taken care of, the speed issue on Maple, and the Sudstock event.

The Committee on Claims filed a report in the amount of \$846,270.48 against the following funds: General Revenue \$202,751.51, Public Health \$173,535.72, Lodging \$51.78, Parks/Stormwater \$4,588.00, Golf \$32,907.31, Capital Improvements \$22,798.36, Myers Park \$6,355.00, Use Tax \$126,442.07, Public Facilities \$18,700.52, Library \$20,000.00, and Payroll \$238,140.21. Ms. Cossey made a motion, seconded by Mr. Taylor, to accept the report and allow the claims. Motion carried.

A public hearing was held on which the citizens could be heard on the property tax rates proposed to be set by the City of Carthage for 2024. No citizens participated.

Under Old Business, C.B. 24-42 -- An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage and Allied Services, LLC., D/B/A Republic Services of Galena of 1715 East Front Street, Galena, KS 66739, for collection, removal and disposal of residential and commercial solid waste commencing October 1, 2024, and terminating September 30, 2029 was placed on second reading followed by a roll call vote of 8 yeas and 0 nays. Ayes: Taylor, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. The Council Bill was approved and numbered Ordinance 24-43.

C.B. 24-43 -- An Ordinance levying general taxes upon real property located within the City of Carthage, Jasper County, Missouri for the year 2024, for General Revenue purposes and other purposes, and fixing the rates thereof was placed on second reading followed by a roll call vote of 8 yeas and 0 nays. Ayes: Taylor, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. The Council Bill was approved and numbered Ordinance 24-44

Under New Business, C.B. 24-44 – An Ordinance authorizing the Mayor to enter into a partnership agreement with Contractors Portables to supply portable restrooms and handwashing units for various park locations and special events in the City of Carthage, Missouri was placed on first reading with no action taken.

C.B. 24-45 -- An Ordinance authorizing the Mayor to enter into a contract with Midland Enterprises for repairs to the Parks and Recreation building in Municipal Park in the amount of \$56,779.00, in the City of Carthage, Missouri was placed on first reading with no action taken.

C.B. 24-46 -- An Ordinance authorizing the identification and hiring of a certified accounting firm to conduct a comprehensive audit of the finances of Carthage Water and Electric Plant was placed on first reading.

Mr. Snow asked the Mayor again to rescind the bill, Mr. Snow isn't aware of any issues and if there are issues, the Mayor could ask the CWEP staff about it. This council bill casts a shadow of doubt and mistrust and the wedge that divides the City will just go deeper. The Mayor responded and said that when the State responded to some complaints, they referenced some red flags that would be investigated in an audit. He said that it is the council's responsibility to look into these issues since CWEP is a municipally funded. Ms. Leece asked what the difference between this type of audit and the annual audit is, Ms. Cox stated that the annual audit is looking at financial reports and the State audit looks at every detail. Ms. Cossey asked if there was written documentation talking about the red flags and the audit and the Mayor said it was over the phone to previous City Attorney Nate Dally. Ms. Cossey voiced her concerns over a lengthy multi year expensive audit. Ms. Cossey made a motion, seconded by Mr. Snow to strike the bill. Motion carried by a vote of 6 yeas 1 nay and 1 abstain. Ayes: Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Nays: Taylor. Abstain: Leece.

Ms. Leece said she would like more details on the audit and Ms. Cossey said that she believes that the Mayor has a personal vendetta and if there was something in writing from the State, the bill could come back in the future.

C.B 24-47 -- An Ordinance to amend section 2-121 of Chapter 2, Article III, Division 2 of the Code of the City of Carthage, Missouri was placed on first reading.

Ms. Leece addressed a few concerns about the changes. She mentioned that the word "willful" was removed and she thinks that is important because we are all human and make mistakes. She is in agreement with things being reported by whomever and brought for charges, but she

is not in favor of the council being the judge and jury in this, Attorney Gold told her prior to the meeting that there would be a committee. Mr. Edge asked Ms. Cossey to review the changes like she did in the committee meeting, she does not have a big objection to adding the word willful back into it. The big changes were that the Mayor with majority of the council may suspend and officer, it is no longer just the Mayor. Also, under the charges any violation of state or federal law was added. Ms. Leece asked for clarification on who an officer is. Ms. Cossey said it includes city council persons, the Mayor, department heads, City Administrator, Assistant City Administrator, City Clerk, City Attorney, and Ms. Cox said that the CW&EP Board is also included.

Ms. Leece made a motion, seconded by Ms. Schramm, to add "willful" violation back into 2-121 subsection a and b. Motion carried by a vote of 7 yeas and 1 nay. Ayes: Leece, Heckmaster, Edge, Snow, Barlow, Cossey and Schramm. Nays: Taylor

C.B. 24-47 as amended - An Ordinance to amend section 2-121 of Chapter 2, Article III, Division 2 of the Code of the City of Carthage, Missouri was read followed by a roll call vote of 6 yeas and 2 nays. Ayes: Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. Nays: Taylor, Leece. The Council Bill was approved and number Ordinance 24-45.

C.B. 24-48 -- An Ordinance to amend section 2-122 of Chapter 2, Article III, Division 2 of the Code of the City of Carthage, Missouri was placed on first reading.

C.B. 24-48 -- An Ordinance to amend section 2-122 of Chapter 2, Article III, Division 2 of the Code of the City of Carthage, Missouri was placed on second reading.

Ms. Leece asked if council bills were supposed to have the old and the new language on them for the public to see the changes that are being made. Ms. Cox said it is not a requirement to show the marked up changes. Ms. Leece brought up a change of the notice that is given, the word written was taken out, she thinks it being a written notice is important. She also said that the last sentence of subsection a, it should be the council and Mayor should adopt a set of rules of procedures, it could be added that unless it is the Mayor being accused. She also brought up impending on the powers of the legislative and executive branches of the charter. Attorney Gold said the current section 2-122, if the charges were made by the Mayor, it would take the majority of the council. If the charges were made by a council member, it would take 2/3 of the council to suspend. In the current ordinance, there is inconsistent language between the sections. Section c says that if a majority of all elected to council find the accused guilty, the next sentence says the majority of council members. One means a majority of 10 and the other is a majority of those present. The changes of this section were more clearly defined. Attorney Gold also addressed where she referred to the written notice being removed, he states in section a it says that the council shall cause to be served upon the accused a written notice of the time and place where the charges will be heard. She also asked about when a third party would be appointed to investigate. Attorney Gold said that it would be a hearing that is held in front of council with evidence that can be presented by the City Attorney to support the charges, the accused have the right to have their own counsel to defend. Ms. Leece also asked for clarification on the timeline of how a hearing happens. Attorney Gold clarified that once written notice was served, the council has to give at least 5 days before the hearing. Ms. Cox asked if the ordinance pertained to the city council and the Mayor. She said the way it is written in the code, the officers are department heads, city attorney, city judge, and staff, it doesn't. It doesn't pertain to council members and the Mayor. Attorney Gold said that the council would have to define what an officer is because the code doesn't clearly define that in the current ordinance. Ms. Cox said that state statutes outline how council members and the

mayor are to be removed, if officers does include council members and the Mayor, we have to make sure the ordinance doesn't go against state statutes. Ms. Leece also agreed with that and would like to make sure it doesn't go against any other state regulations, she would like to check in on that before moving forward.

Ms. Leece made a motion, seconded by Mr. Taylor, to table this council bill until September 24 to give time to look into state law and other regulations to make sure this is compliant, and to bring back a redlined version of this ordinance change. Motion carried by a vote of 7 yeas and 1 abstain. Ayes: Taylor, Leece, Heckmaster, Edge, Snow, Barlow, Cossey. Abstain: Schramm.

There were no closing comments.

Mr. Taylor made a motion, seconded by Ms. Cossey, 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 followed by a roll call vote of 8 yeas and no nays. Ayes: Chris Taylor, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm. Motion carried at 8:03 p.m.

There was a short recess before the closed session started. Council went into closed session at 8:14 p.m.

CLOSED SESSION

Mr. Taylor made a motion, seconded by Ms. Heckmaster, to return to the regular session of the Council Meeting at 10:08 p.m. followed by a roll call vote of 9 yeas and no nays. Ayes: Chris Taylor, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm. Motion carried.

Mr. Snow made a motion, seconded by Ms. Heckmaster, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 10:12 p.m.

CLOSED SESSION
MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
August 27, 2024

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

Mr. Taylor made a motion, seconded by Ms. Cossey, 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 followed by a roll call vote of 8 yeas and no nays. Ayes: Chris Taylor, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm. Motion carried at 8:03 p.m.

There was a short recess before the closed session started. Council went into closed session at 8:14 p.m.

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

City Attorney Jon Gold and City Clerk Miranda Deal were also present.

There were discussions on allowing others into the closed session to present some information relating to the hiring of a fire chief.

Council Member Derek Peterson joined the meeting at 8:21 pm.

The first individual wishing to speak on the hiring of a fire chief did not attend the meeting.

Mr. Taylor made a motion, seconded by Ms. Leece, to allow Brett Henson, an employee of the fire department, into the closed session. Motion carried by a roll call vote of 9 yeas and no nays. Ayes: Chris Taylor, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm.

Mr. Henson joined the closed session at 8:50 pm.

He discussed a previous fire incident.

Mr. Henson left the closed session at 9:06 pm.

Mr. Taylor made a motion, seconded by Mr. Barlow to allow Jason Martin, current Deputy Fire Chief into the closed session. Motion carried by a roll call vote of 9 yeas and no nays. Ayes:

Chris Taylor, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm.

Mr. Martin joined the closed session at 9:23 pm.

Mr. Martin responded to questions asked by the Council.

Mr. Martin left the closed session at 9:49 pm.

The Council agreed to have another closed session at the next meeting to further discuss and consider the Mayor's recommendation for appointment of Fire Chief.

Mr. Taylor made a motion, seconded by Ms. Heckmaster, to return to the regular session of the Council Meeting at 10:08 p.m. followed by a roll call vote of 9 yeas and no nays. Ayes: Chris Taylor, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm. Motion carried.

Respectfully submitted,

Miranda Deal
City Clerk



City of Carthage, Missouri

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS

August 27, 2024 - 5:30 PM
CITY HALL COUNCIL CHAMBERS

MINUTES

1. Call to Order

MEMBERS PRESENT: Tiffany Cossey, Jana Schramm, Terri Heckmaster

MEMBERS ABSENT: Derek Peterson

OTHER MEMBERS PRESENT: Dustin Edge

STAFF PRESENT: Interim City Administrator Traci Cox, City Clerk Miranda Deal, IT Administrator Michael Keith

Chair Tiffany Cossey called the meeting to order at 05:33 PM.

2. Old Business

1. Approval of August 13, 2024 Minutes

ACTION:	Motion to approve item 2.1. by Jana Schramm
	Motion Passed with a 3:0
AYES:	Tiffany Cossey, Jana Schramm, Terri Heckmaster

2. Review & Approval of the Claims Report

ACTION:	Motion to approve item 2.2. by Terri Heckmaster
	Motion Passed with a 3:0
AYES:	Tiffany Cossey, Jana Schramm, Terri Heckmaster

3. Citizens Participation

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)

4. New Business

1. Consider and discuss amendment to section 2-121 of the City of Carthage Code
Ms. Cossey reviewed the major changes of this ordinance. The ordinance currently states that the Mayor can suspend any officer of the City, Ms. Cossey asked for that to be changed to the Mayor with the majority of Council, could suspend an officer. The other major change

was adding a reason for suspension being any violation of State or Federal laws.

ACTION:	Motion to approve and send to full Council by Jana Schramm
	Motion Passed with a 3:0
AYES:	Tiffany Cossey, Jana Schramm, Terri Heckmaster

2. Consider and discuss amendment to section 2-122 of the City of Carthage Code Ms. Cossey reviewed the changes with this ordinance. She said that a majority of the changes in this section were from the attorney to make it compliant with the charter. It included some better clarifications and it added in that the council should approve rules of procedures before starting an officer hearing. There was also some language in part c that was changed to be consistent with part a.

ACTION:	Motion to approve and forward to council by Terri Heckmaster
	Motion Passed with a 3:0
AYES:	Tiffany Cossey, Jana Schramm, Terri Heckmaster

3. Staff Reports

Ms. Cox reported that she has been working with McGrath on the salary study update and will be meeting with Victoria McGrath on September 9. She has closed the fiscal year and the online budget book is near completion. She also announced that Jen Kirby, the Tourism Director, has put in her resignation and the job has been posted. The plan is to see what kind of applicants apply for the position before making any further decisions on the position. The insurance settlement from the first storm is almost settled, there are still items being working on for the 2nd storm settlement.

Ms. Deal reported that staff has began gathering documents for the annual audit.

5. Adjournment

ACTION:	Motion to Adjourn at 05:49 PM by Terri Heckmaster
	Motion Passed with a 3:0
AYES:	Tiffany Cossey, Jana Schramm, Terri Heckmaster

--NOTICE OF MEETING--
PUBLIC WORKS COMMITTEE
September 3, 2024
5:30 PM
CITY HALL
326 GRANT STREET
COUNCIL CHAMBERS
-- AGENDA—

MEETING CANCELED DUE TO LACK OF BUSINESS

OLD BUSINESS

CITIZENS PARTICIPATION

NEW BUSINESS

OTHER BUSINESS

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: 08/30/2024
BY: Rachel Sutherland



City of Carthage, Missouri

SPECIAL BUDGET WAYS & MEANS COMMITTEE

September 4, 2024 - 11:00 AM
CITY HALL COUNCIL CHAMBERS

AGENDA

- 1. Call to Order**
- 2. Old Business**
 1. Approval of Aug 12, 2024 Minutes
- 3. Citizens Participation**

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)
- 4. New Business**
 1. Consider and Discuss a Resolution for a Budget Adjustment
 2. Staff Reports
- 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

SPECIAL BUDGET WAYS & MEANS COMMITTEE

September 4, 2024 - 11:00 AM
CITY HALL COUNCIL CHAMBERS

MINUTES

1. Call to Order

MEMBERS PRESENT: Dustin Edge, Terri Heckmaster, Alan Snow, Chris Taylor

MEMBERS ABSENT:

OTHER COUNCIL MEMBERS: Jana Schramm

STAFF PRESENT: Assistant City Administrator Traci Cox, and Admin Assistant Dorothy Weber

Chairman Snow called the meeting to order at 11:00 am.

2. Old Business

1. Approval of Aug 12, 2024 Minutes

ACTION:	Motion to approve the aug 12, 2023 minutes by terri heckmaster
	Motion passed with a 3:0
AYES:	Terri Heckmaster, Alan Snow, Chris Taylor
NOES:	None
ABSTAIN:	Dustin Edge

3. Citizens Participation

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)

4. New Business

1. Consider and Discuss a Resolution for a Budget Adjustment

MEMBERS PRESENT:

ACTION:	Motion to forward a \$15,000 budget adjustment to Council by Terri Heckmaster
	Motion passed with a 3:0
AYES:	Terri Heckmaster, Alan Snow, Dustin Edge
NOES:	Chris Taylor

ABSTAIN:	None
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2. Staff Reports

5. Adjournment

ACTION:	Motion to Adjourn at 11:01 by Alan Snow
	Motion passed with a 4:0
AYES:	Chris Taylor, Dustin Edge, Terri Heckmaster, Alan Snow
NOES:	None
ABSTAIN:	None



City of Carthage, Missouri

BUDGET WAYS & MEANS COMMITTEE

September 9, 2024 - 5:30 PM
CITY HALL COUNCIL CHAMBERS

AGENDA

- 1. Call to Order**
- 2. Old Business**
 1. Approval of Sept 4, 2024 Minutes
- 3. Citizens Participation**

(Citizens wishing to speak should notify Department Head or Committee Chair in advance)
- 4. New Business**
 1. Consider and Discuss a Budget Adjustment for the Golf Fund
 2. Staff Reports
- 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

**McCune Brooks Regional Hospital Trust
Regular Meeting of the Board of Trustees
August 28, 2024
2:00 p.m.
Schmidt Associates Conference Room
1105 Industrial Drive, Carthage, MO.**

Agenda

- | | | |
|------|---|--------------|
| I. | Call to Order | Ron Petersen |
| II. | Approval of May 22, 2024 Minutes | Ron Petersen |
| III. | Financial Statement Report & Review | Stan Schmidt |
| IV. | Review and approval of Grant Applications | Ron Petersen |
| V. | Next meeting date | Ron Petersen |
| VI. | Adjournment | Ron Petersen |



City of Carthage, Missouri

TREE BOARD

September 3, 2024 - 4:30 PM

Parks & Recreation Office

407 S Garrison Ave.

Carthage, MO 64836

AGENDA

1. Old Business

1. Consider and approve minutes from previous meeting.

2. Citizens Participation

(Citizens wishing to address the Board should notify the City in advance and provide the item they want to address in written format at least 24 hours before the meeting. Please call the Parks & Recreation office at 417-237-7035.)

3. New Business

1. Consider and discuss replacing trees in the park project.

4. Staff Reports

5. Other Business

6. 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



AGENDA

Planning, Zoning, and Historic Preservation Commission

Thursday, September 5, 2024 5:30 pm

City Hall Chambers

326 Grant St. / Carthage MO 64836

Call to Order

Minutes of Previous Meeting Thursday, August 1, 2024

Public Participation

Each person who wishes to address the commission must put their name and address on the sign-up sheet and shall state their name prior to speaking. Each person is limited to two (2) 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 further questions by the commission or the chair.

Public Hearing

1. To consider a request for a Special Use Permit for the operation of a Carnival at the Fair Acres Parking Lot next to the YMCA at 2600 Grand in conjunction with the Annual Maple Leaf Festival.

Staff Report

New Business

Old Business

Next Meeting: Thursday, October 3, 2024

Adjourn

Commission Members

Voting Members:	Chairman	Jim Hunter	1514 S River	417-850-5355
	Vice Chairman	Jim Swatsenbarg	601 Howard	417-358-1690
	Secretary	Joshua Anderson	1205 S Main	417-793-2196
	Member	Philip Brown	2533 Theo	417-793-8065
	Member	Vacant	Vacant	Vacant
	Member	Robin Harrison	721 E 10th	417-483-8835
	Member	Matt Smith	1022 E Chestnut	417-437-2281

Non-Voting Members:	Mayor	Dan Rife	City Hall	417-237-7003
	City Administrator		City Hall	417-237-7003
	Asst. City Administrator	Traci Cox	City Hall	417-237-7003
	Councilmember	Terri Heckmaster	1155 Grand	417-310-6178

Staff:	Public Works Director	Zeb Carney	Public Works Department	417-237-7010
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Public Works Department 623 E Seventh Carthage MO 64836 Tele: (417) 237-7010 Fax: (417) 237-7011 Email: pwd@carthagemo.gov

CITY OF CARTHAGE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2024

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUES</u>					
110-GENERAL REVENUE	14,022,525.00	2,648,434.87	16,471,597.53	117.47 (	2,449,072.53)
121-PUBLIC HEALTH	253,000.00	30,273.04	319,568.30	126.31 (	66,568.30)
122-LANDFILL CLOSURE	7,500.00	11,850.17	57,529.36	767.06 (	50,029.36)
123-LODGING TAX	255,600.00	61,165.43	211,475.25	82.74	44,124.75
124-CIVIC ENHANCEMENT	800.00	282.05	9,769.95	1,221.24 (	8,969.95)
125-STORMWATER	100.00	44.98	532.15	532.15 (	432.15)
126-PUBLIC SAFETY GRANT	0.00	0.00	106,000.00	0.00 (	106,000.00)
127-CDBG	0.00	0.00	0.00	0.00	0.00
128-PARKS/STM WTR	1,476,408.00	135,107.93	1,536,421.53	104.06 (	60,013.53)
129-TIF & CID SPECIAL TAX	600.00	467.13	54,431.15	9,071.86 (	53,831.15)
130-INMATE SECURITY FUND	3,500.00	286.50	4,485.50	128.16 (	985.50)
131-FIRE PROTECTION TAX	758,200.00	830,006.48	1,597,774.78	210.73 (	839,574.78)
141-FAIR ACRES SPORTS COM	0.00	0.00	0.00	0.00	0.00
142-GOLF COURSE	643,300.00	103,104.73	833,962.84	129.64 (	190,662.84)
161-CAPITAL IMPROVEMENTS	2,377,595.00	436,725.61	2,164,218.80	91.03	213,376.20
162-PARKS & RECREATION	267,716.00 (	1,654.34)	293,732.50	109.72 (	26,016.50)
163-MYERS PARK	1,155,849.00	496,214.33	532,227.29	46.05	623,621.71
164-JUDICIAL EDUCATION FU	100.00	0.00	11.01	11.01	88.99
165-USE TAX	954,050.00	0.00	18,875.32	1.98	935,174.68
175-Public Fac/Bond Fund	4,550,000.00	9,212.28	1,417,047.42	31.14	3,132,952.58
221-ECONOMIC DEVELOPMENT	33,519.00	73.38	34,566.52	103.13 (	1,047.52)
222-AMERICAN RESCUE PLAN	0.00	169,985.57	238,719.68	0.00 (	238,719.68)
341-CW & EP	0.00	0.00	0.00	0.00	0.00
342-MCCUNE-BROOKS HOSPITA	0.00	0.00	0.00	0.00	0.00
343-LIBRARY OPERATING	0.00	14,157.75	524,686.55	0.00 (	524,686.55)
344-LIBRARY BUILDING	0.00	0.00	0.00	0.00	0.00
345-POWERS MUSEUM	0.00	0.00	0.00	0.00	0.00
346-POWERS CAPITAL	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUES	26,760,362.00	4,945,737.89	26,427,633.43	98.76	332,728.57
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CITY OF CARTHAGE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JUNE 30TH, 2024

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
EXPENDITURES					
110-GENERAL REVENUE	21,001,513.00	1,524,129.68	14,842,353.42	70.67	6,159,159.58
121-PUBLIC HEALTH	300,502.00	13,254.77	243,259.91	80.95	57,242.09
122-LANDFILL CLOSURE	0.00	0.00	0.00	0.00	0.00
123-LODGING TAX	296,053.00	54,707.06	240,546.61	81.25	55,506.39
124-CIVIC ENHANCEMENT	5,454.00	0.00	6,001.89	110.05	(547.89)
125-STORMWATER	0.00	0.00	0.00	0.00	0.00
126-PUBLIC SAFETY GRANT	74,456.00	536.66	73,178.24	98.28	1,277.76
127-CDBG	0.00	0.00	0.00	0.00	0.00
128-PARKS/STM WTR	1,316,064.00	178,649.04	953,229.05	72.43	362,834.95
129-TIF & CID SPECIAL TAX	0.00	0.00	0.00	0.00	0.00
130-INMATE SECURITY FUND	0.00	0.00	0.00	0.00	0.00
131-FIRE PROTECTION TAX	1,001,119.00	0.00	763,974.56	76.31	237,144.44
141-FAIR ACRES SPORTS COM	0.00	0.00	0.00	0.00	0.00
142-GOLF COURSE	919,815.00	91,390.18	800,263.08	87.00	119,551.92
161-CAPITAL IMPROVEMENTS	3,464,747.00	2,090,373.79	2,817,310.68	81.31	647,436.32
162-PARKS & RECREATION	265,000.00	0.00	265,000.00	100.00	0.00
163-MYERS PARK	1,739,594.00	30,504.00	102,783.50	5.91	1,636,810.50
164-JUDICIAL EDUCATION FU	0.00	0.00	0.00	0.00	0.00
165-USE TAX	1,235,252.00	133,960.58	678,909.94	54.96	556,342.06
175-Public Fac/Bond Fund	8,200,637.00	477,634.45	3,120,669.29	38.05	5,079,967.71
221-ECONOMIC DEVELOPMENT	31,819.00	0.00	31,819.00	100.00	0.00
222-AMERICAN RESCUE PLAN	190,154.00	49,686.00	156,386.26	82.24	33,767.74
341-CW & EP	0.00	0.00	0.00	0.00	0.00
342-MCCUNE-BROOKS HOSPITA	0.00	0.00	0.00	0.00	0.00
343-LIBRARY OPERATING	0.00	25,000.00	415,000.00	0.00	(415,000.00)
344-LIBRARY BUILDING	0.00	0.00	0.00	0.00	0.00
345-POWERS MUSEUM	0.00	0.00	0.00	0.00	0.00
346-POWERS CAPITAL	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
GRAND TOTAL EXPENDITURES	<u>40,042,179.00</u>	<u>4,669,826.21</u>	<u>25,510,685.43</u>	<u>63.71</u>	<u>14,531,493.57</u>
REVENUES OVER/(UNDER) EXPENDITURES	(13,281,817.00)	275,911.68	916,948.00		(14,198,765.00)

*** END OF REPORT ***

CITY OF CARTHAGE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2024

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
<u>REVENUES</u>					
110-GENERAL REVENUE	17,345,450.00	501,543.36	501,543.36	2.89	16,843,906.64
121-PUBLIC HEALTH	243,700.00	12,715.31	12,715.31	5.22	230,984.69
122-LANDFILL CLOSURE	15,000.00 (	3,458.08) (	3,458.08)	23.05-	18,458.08
123-LODGING TAX	178,200.00 (	14,368.56) (	14,368.56)	8.06-	192,568.56
124-CIVIC ENHANCEMENT	500.00	287.96	287.96	57.59	212.04
125-STORMWATER	200.00	45.92	45.92	22.96	154.08
126-PUBLIC SAFETY GRANT	0.00	0.00	0.00	0.00	0.00
127-CDBG	0.00	0.00	0.00	0.00	0.00
128-PARKS/STM WTR	1,460,950.00	135,652.41	135,652.41	9.29	1,325,297.59
129-TIF & CID SPECIAL TAX	1,000.00	476.92	476.92	47.69	523.08
130-INMATE SECURITY FUND	3,500.00	414.00	414.00	11.83	3,086.00
131-FIRE PROTECTION TAX	765,000.00	64,528.89	64,528.89	8.44	700,471.11
141-FAIR ACRES SPORTS COM	0.00	0.00	0.00	0.00	0.00
142-GOLF COURSE	950,500.00	129,276.82	129,276.82	13.60	821,223.18
161-CAPITAL IMPROVEMENTS	2,330,590.00	75,328.64	75,328.64	3.23	2,255,261.36
162-PARKS & RECREATION	280,000.00	1,280.50	1,280.50	0.46	278,719.50
163-MYERS PARK	793,297.00	3,083.91	3,083.91	0.39	790,213.09
164-JUDICIAL EDUCATION FU	0.00	0.00	0.00	0.00	0.00
165-USE TAX	655,000.00	2,549.14	2,549.14	0.39	652,450.86
175-Public Fac/Bond Fund	1,600,000.00	9,478.98	9,478.98	0.59	1,590,521.02
221-ECONOMIC DEVELOPMENT	33,819.00	74.92	74.92	0.22	33,744.08
222-AMERICAN RESCUE PLAN	0.00	7,169.03	7,169.03	0.00 (	7,169.03)
341-CW & EP	0.00	0.00	0.00	0.00	0.00
342-MCCUNE-BROOKS HOSPITA	0.00	0.00	0.00	0.00	0.00
343-LIBRARY OPERATING	0.00	9,225.27	9,225.27	0.00 (	9,225.27)
344-LIBRARY BUILDING	0.00	0.00	0.00	0.00	0.00
345-POWERS MUSEUM	0.00	0.00	0.00	0.00	0.00
346-POWERS CAPITAL	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
TOTAL REVENUES	26,656,706.00	935,305.34	935,305.34	3.51	25,721,400.66
	=====	=====	=====	=====	=====

CITY OF CARTHAGE
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: JULY 31ST, 2024

	CURRENT BUDGET	CURRENT PERIOD	YEAR TO DATE ACTUAL	% OF BUDGET	BUDGET BALANCE
EXPENDITURES					
110-GENERAL REVENUE	17,897,633.38	701,158.62	701,158.62	3.92	17,196,474.76
121-PUBLIC HEALTH	315,395.42	16,291.50	16,291.50	5.17	299,103.92
122-LANDFILL CLOSURE	0.00	0.00	0.00	0.00	0.00
123-LODGING TAX	166,613.99	8,039.44	8,039.44	4.83	158,574.55
124-CIVIC ENHANCEMENT	0.00	0.00	0.00	0.00	0.00
125-STORMWATER	0.00	0.00	0.00	0.00	0.00
126-PUBLIC SAFETY GRANT	43,000.00	0.00	0.00	0.00	43,000.00
127-CDBG	0.00	0.00	0.00	0.00	0.00
128-PARKS/STM WTR	1,136,380.00 (	31,958.05) (	31,958.05)	2.81-	1,168,338.05
129-TIF & CID SPECIAL TAX	0.00	0.00	0.00	0.00	0.00
130-INMATE SECURITY FUND	0.00	0.00	0.00	0.00	0.00
131-FIRE PROTECTION TAX	603,269.00	30,653.38	30,653.38	5.08	572,615.62
141-FAIR ACRES SPORTS COM	0.00	0.00	0.00	0.00	0.00
142-GOLF COURSE	1,029,477.40	47,458.13	47,458.13	4.61	982,019.27
161-CAPITAL IMPROVEMENTS	2,391,703.00	0.00	0.00	0.00	2,391,703.00
162-PARKS & RECREATION	277,500.00	0.00	0.00	0.00	277,500.00
163-MYERS PARK	1,739,594.00	0.00	0.00	0.00	1,739,594.00
164-JUDICIAL EDUCATION FU	900.00	0.00	0.00	0.00	900.00
165-USE TAX	2,222,454.00	383,032.31	383,032.31	17.23	1,839,421.69
175-Public Fac/Bond Fund	3,088,981.00 (	27,691.10) (	27,691.10)	0.90-	3,116,672.10
221-ECONOMIC DEVELOPMENT	31,819.00	0.00	0.00	0.00	31,819.00
222-AMERICAN RESCUE PLAN	908,400.00	0.00	0.00	0.00	908,400.00
341-CW & EP	0.00	0.00	0.00	0.00	0.00
342-MCCUNE-BROOKS HOSPITA	0.00	0.00	0.00	0.00	0.00
343-LIBRARY OPERATING	0.00	50,000.00	50,000.00	0.00 (	50,000.00)
344-LIBRARY BUILDING	0.00	0.00	0.00	0.00	0.00
345-POWERS MUSEUM	0.00	0.00	0.00	0.00	0.00
346-POWERS CAPITAL	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
GRAND TOTAL EXPENDITURES	<u>31,853,120.19</u>	<u>1,176,984.23</u>	<u>1,176,984.23</u>	<u>3.70</u>	<u>30,676,135.96</u>
REVENUES OVER/(UNDER) EXPENDITURES	(5,196,414.19) (	241,678.89) (	241,678.89)		(4,954,735.30)

*** END OF REPORT ***

COUNCIL BILL NO. 24-44

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to enter into a partnership agreement with Contractors Portables to supply portable restrooms and handwashing units for various park locations and special events 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 partnership agreement with Contractors Portables to supply portable restrooms and handwashing units for various park locations and special events, in the City of Carthage, a copy of which agreement 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 _____, 2024.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

Sponsored by: Public Services Committee

To whom it may concern,

We would love to have the opportunity to take care of all of your portable restroom needs for the next year. We have been the provider of the portables for the Maple Leaf Festival for many years and we take very good care of our loyal customers. We have tons of experience and a great team to handle any size event or regular services. We have a great working relationship with several businesses and individuals in not only our everyday services but also the many events that we provide service for. Downstream Casino and Buffalo Run Casino are just two of our largest event holders besides the Carthage Chamber of Commerce. Please feel free to contact me with any questions or concerns anytime at the contact info below. Again we would absolutely love the opportunity to work with you again and take care of any portable restroom needs you may have in the future,

If you have any other questions please feel free to contact me anytime.

We appreciate the opportunity to serve your portable restroom needs.

Sincerely,

Jason Wells

Joplin Market Manager

417-291-7815

jwells@contractors-portables.com

Carthage Parks Department

Portable Restrooms - \$95 each per month

Handicap Accessible units - \$155 each per month

Hand washing stations - \$65 per month

All Include once weekly service and each order will have a \$25 del. Fee

Event units will be \$95 each or 10 plus units will be \$80 each

Event Handicap units will be \$140 each

Event hand wash stations will be \$55 each

If you have any other questions please feel free to contact me anytime.

We appreciate the opportunity to serve your portable restroom needs.

Sincerely,

Jason Wells

Joplin Market Manager

417-291-7815

jwells@contractors-portables.com

Carthage Parks Department

Portable Restrooms - \$95 each per month

Handicap Accessible units - \$155 each per month

Hand washing stations - \$65 per month

All Include once weekly service and each order will have a \$25 del. Fee

Event units will be \$95 each or 10 plus units will be \$80 each

Event Handicap units will be \$140 each

Event hand wash stations will be \$55 each

If you have any other questions please feel free to contact me anytime.

We appreciate the opportunity to serve your portable restroom needs.

Sincerely,

Jason Wells

Joplin Market Manager

417-291-7815

jwells@contractors-portables.com

COUNCIL BILL NO. 24-45

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to enter into a contract with Midland Enterprises for repairs to the Parks and Recreation building in Municipal Park in the amount of \$56,779.00, 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 Midland Enterprises for repairs to the Parks and Recreation building in Municipal Park in the amount of \$56,779.00, in the City of Carthage, a copy of which agreement 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 _____, 2024.

Dan Rife, Mayor

ATTEST:

Miranda Deal, City Clerk

Sponsored by: Public Services Committee

FW: payment

Dorothy Weber <d.weber@carthagemo.gov>

Tue 8/13/2024 9:51 AM

To: Traci Cox <t.cox@carthagemo.gov>

Respectfully,
Dorothy Weber
Admin Assistant
(417) 237-7000



From: Dan Rife <d.rife@carthagemo.gov>

Sent: Thursday, June 13, 2024 8:25 AM

To: Dorothy Weber <d.weber@carthagemo.gov>

Subject: payment

Dorothy,

go ahead and send the payment for Lauber and for the electric work discussed at the Council meeting Tuesday the 11th

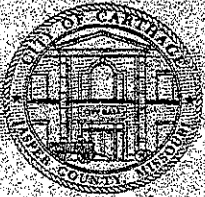
Dan

DATE	I.D.	PO #	DESCRIPTION	AMOUNT
06/10/2024	27178	CA-765	Mayor and City Clerk Consults	1,727.30

CHECK TOTAL 1,727.30

2463 Hauber And Associates Municipal Law LLC 092450 06/11/2024

THE KEY TO DOCUMENT SECURITY • HEAT ACTIVATED THUMB PRINT • ADDITIONAL SECURITY FEATURES INCLUDED • SEE BACK FOR DETAILS



THE CITY OF CARTHAGE

326 GRANT
CARTHAGE MO 64836
OFFICE OF THE CITY CLERK

CHECK NO: 092450

AMOUNT
\$1,727.30

06/11/2024

PAY

ONE THOUSAND SEVEN HUNDRED TWENTY SEVEN & 30/100 DOLLARS

TO THE
ORDER
OF

Hauber And Associates Municipal Law LLC
4031 NE Lakewood Way
Lee's Summit, MO 64064

PAYABLE AT

Guaranty Bank

THE CITY OF CARTHAGE, MISSOURI

CITY CLERK



⑈092450⑈ ⑆286573335⑆7900069871⑈

City of Carthage

Carthage, MO

June 11, 2024

Requisition # CA-765

Name Lauber Municipal Law LLC

Address _____

110

Distribution #

46636.32

Invoice		Unit Cost	Total Cost
27178	Telephone Conference with Mayor and City Clerk.		\$234.00
	Telephone Conference with Mayor and CA		\$104.00
	Telephone Conference with Councilman		\$650.00
	Review Message with Chief		\$130.00
27177	Discussion of Impeachment Council		\$427.50
	Unpaid Statement		\$1.80
	Current Work		
	Last Invoice		180
		TOTAL	\$1,727.30

Signed **Miranda Deal**

City Clerk

- * need contract approved by council before authorizing

LAUBER MUNICIPAL LAW
Serving those who serve the public

City of Carthage
326 Grant
Carthage, MO 64836

Invoice Date: 05/31/2024
Invoice No. 27177
Account No. 1139.01

Special Counsel General Municipal

DUE UPON RECEIPT

Fees Through 05/31/2024

		Hours
05/16/2024	JWD Discussion of impeachment council purported suspension of elected official during pendency of impeachment; Review and analyze background documents; Legal research regarding suspension of elected official during pendency of impeachment; prepare reply regarding impeachment suspension issue; Review and analyze reply correspondence from Attorney Martin regarding same.	
		1.90
		427.50
	For Current Services Rendered	1.90
		427.50

Costs Through 05/31/2024

05/31/2024	Late Fees for unpaid 04/30/2024 billing statement as of 06/03/2024	1.80
	Total Costs	1.80
	Total Current Work	429.30
	Total Account Balance as of Last Invoice	\$180.00
	Balance Due >>>>>>>>>>	\$609.30

Aged Due Amounts			
<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
04/30/2024	26989	180.00	180.00
			<u>180.00</u>

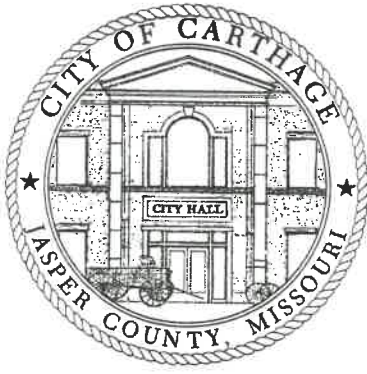
City of Carthage

Statement Date: 05/31/2024
Statement No. 27177
Account No. 1139.01

DUE UPON RECEIPT

Thank you for your business! Please note that all statements are DUE UPON RECEIPT. A 1% late fee may be applied monthly if payments are not received on or before the last day of the month in which the statement was received.

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The City of Carthage

America's Maple Leaf City

326 Grant St., Carthage, MO 64836 (417) 237-7000 FAX (417) 237-7002

06/03/2024

Gregory Dagnan
[REDACTED]

Mr. Dagnan,

With your termination being effective immediately, you are due the following payouts pursuant to City Code and your employment contract:

720 hours of sick leave in the amount of \$41,140.80

224 hours of vacation in the amount of \$12,799.36

3 months' severance pay (480 hours) in the amount of \$27,427.20

I have instructed these payouts to be issued on a special check at the payroll clerk's earliest convenience.

Sincerely,

Mayor Dan Rife
City of Carthage

**BEFORE THE COUNCIL OF
THE CITY OF CARTHAGE, MISSOURI
ACTING AS A BOARD OF IMPEACHMENT**

In The Matter of the Impeachment	)
of the Mayor:	)
	)
City of Carthage,	)
	)
Relator,	)
	)
v.	)
	)
Dan Rife,	)
	)
Respondent.	)

Revised Articles of Impeachment

WHEREAS, Dan Rife is the duly-elected Mayor of the City of Carthage, Missouri;
and

WHEREAS, the Carthage City Council, sitting as a board of impeachment pursuant to the authority granted by Sections 2-121 and 2-122 of the Carthage City Code, desires to file charges against Mayor Rife for the consideration of his potential removal from office and further desires to establish a procedure for same; and

NOW, THEREFORE, the Carthage City Council hereby charges Mayor Rife, and establishes the procedure for the consideration of the charges and his potential removal from office, as provided herein.

Statement of Charges

Mayor Dan Rife is hereby charged with the willful violation of the laws of the City of Carthage and the State of Missouri, and the breach of his official duties and obligations, by committing one or more of the following acts of misfeasance, malfeasance, or non-feasance;

1. On April 1, 2022 the Carthage City Council approved the hiring of Greg Dagnan as the Carthage City Administrator. On or about April 7, 2022 Mayor Rife, without the authority of the Carthage City Council, “confirmed” in writing that Mr. Dagnan was given a ten year employment term, a “for cause” removal standard, and a severance payment of three months’ salary.

As a result of this written confirmation: (1) on June 3, 2024 Mayor Rife, without approval of the Carthage City Council, ordered Mr. Dagnan to be paid severance of three

months' salary on his separation from city employment, in the sum of \$27,427.20, when the city code only permitted payment of one-half month's severance, in the amount of \$4,571.20, and (2) on May 17, 2024, Mr. Dagnan filed suit against the city's elected officials alleging tortious interference with his "contract", thus exposing the city to the costs and risks of litigation and liability.

By so acting Mayor Rife violated:

- A. Section 5.3 of the Carthage City Charter, which provides that the employment of the city administrator "shall be for an indefinite term";
- B. Section 5.4(b) of the Charter, which provides that the city administrator shall serve "at the pleasure of the appointing authority", i.e., the Carthage City Council;
- C. Section 2-160 of the Carthage City Code, which provides for the termination of the city administrator without cause and with a severance payment of only one-half -month's salary;
- D. Section 432.070 of the Revised Statutes of Missouri, which requires all contracts of the city, and the terms of such contracts, to be approved by the Carthage City Council and executed by the parties as so authorized;
- E. Section 4.1 of the Carthage City Charter, which provides that the mayor "shall take care that the ordinances of the City and the state laws relating to such City are complied with"; and
- F. Section 4.12 of the charter, which provides that the mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the City"

2. On April 9, 2024 Mayor Rife refused to permit the Carthage City Council's consideration of a motion to terminate City Administrator Greg Dagnan's employment. On April 11, 2024 Mayor Rife refused for a second time to permit the Carthage City Council's consideration of a motion to terminate City Administrator Greg Dagnan's employment. After the council's successful appeal of the mayor's refusal, the motion to terminate was renewed and was passed by a 7-2 vote. Mayor Rife responded that the motion "was not binding", and City Administrator Dagnan was allowed by the mayor to remain in the city's employ until May 31, 2024.

Had Mayor Rife upheld Mr. Dagnan's termination, he would have been entitled to salary and accrued benefits under the city code from the termination date of April 11, 2024 to May 11, 2024. Instead Mr. Dagnan was paid his full salary and benefits through May 31, 2024.

By so acting Mayor Rife violated:

- A. Section 5.4(b) of the Carthage City Charter, which provides that the city administrator shall serve “at the pleasure of the appointing authority”, i.e., the Carthage City Council;
- B. Section 5.4(c) of the charter, which provides that the city administrator “shall continue to serve so long as his performance meets with the approval of the Mayor and of a majority of the members of the Council”;
- C. Section 2-160(a) of the Carthage City Code, which permits the city administrator to “continue to serve so long as his performance meets with the approval of the mayor and of a majority of the members of the Council”;
- D. Section 2-160 of the code, which allows the termination of the city administrator without cause;
- E. Section 2-161 of the code, which provides for payment of 30 days’ salary and accrued benefits following the termination of the city manager’s employment;
- F. Section 4.1 of the Carthage City Charter, which provides that the mayor “shall have the superintending control of all the officers. . . . of the City, and shall take care that the ordinances of the City . . . are complied with”; and
- G. Section 4.12 of the charter, which provides that the mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the City”

3. On June 15, 2023 Mayor Rife called a special closed meeting of the Carthage City Council.

- A. The meeting was called with less than 24 hours’ notice and without the consent of all the members of the council in violation of Section 4.11 of the Carthage City Charter and Section 610.020.2 of the Revised Statutes of Missouri, both of which require the posting of 24 hours’ notice of a meeting.
- B. The meeting was closed pursuant to Section 610.021(3) RSMo., which permits the closure of a meeting only “to the extent . . . relate[d] to” the “[h]iring, firing, disciplining or promoting of” the city’s employees. But the subject matter of the meeting did not involve city employees; instead it involved the removal from office of the members of the Carthage Water and Electric Plant Board. The meeting thus violated Section 610.021(3) RSMo. and Section 610.020.1 RSMo., which requires the posting of notice “in a manner reasonably calculated to advise the public of the matters to be considered”.

- C. The minutes of the June 15 meeting also failed to state “good cause” for holding the meeting with less than 24 hours’ notice in violation of Section 610.020.4 of the Revised Statutes of Missouri.
- D. Mayor Rife called the meeting to discuss and effect the removal of the members of the Carthage Water & Electric Plant Board, which such removal was accomplished without notice of charges to the members or an opportunity for the members to be heard in violation of Sections 2-121 and 2-122 of the Carthage City Code.
- E. In calling the unlawful meeting and seeking the removal of the CWEP board members, Mayor Rife further violated Sections 4.1 and 4.12 of the Carthage City Charter, which require him to abide by and enforce state and local laws relating to the city.
- F. In calling the unlawful meeting and effecting the removal of the CWEP board members, Mayor Rife exposed the city to the costs and risks of litigation and liability over the legality of the board members’ removal.

4. On behalf of the City of Carthage, Mayor Rife entered into agreements with Lauber Municipal Law (May 15, 2024) and Jeff Asbell Excavating and Trucking (May 16, 2024) without obtaining the Carthage City Council’s approval or authorization.

On August 13, 2024 Mayor Rife, without the approval of the Carthage City Council, ordered that payment be made to Lauber for legal services rendered pursuant to the unauthorized agreement in the amount of \$1,727.30, and on or about June 27, 2024 the city paid Asbell the amount of \$206,966.35 pursuant to the unauthorized agreement.

In doing so Mayor Rife violated:

- A. Section 432.070 of the Revised Statutes of Missouri, which require all contracts of the city, and the terms of such contracts, to be approved by the Carthage City Council and executed by the parties so authorized;
- B. Section 4.1 of the Carthage City Charter, which provides that the mayor “shall take care that the ordinances of the City and the state laws relating to such City are complied with”;
- C. Section 4.12 of the charter, which provides that the mayor shall be active and vigilant in enforcing all laws and ordinances for the government of the City. . . .”; and
- D. The city’s emergency purchasing policy, which required approval of the Asbell expenditure by the Carthage City Council.

5. On May 17, 2024, at a special council meeting to consider Resolution No. 2042 concerning his impeachment, Mayor Rife vacated the chair because of his conflict of interest on the question. After the resolution was amended and adopted by the Carthage City Council, Mayor Rife acted to veto the resolution, despite his conflict of interest, and so violated Subsections 1 and 4 of Section 105.452.1 of the Revised Statutes of Missouri and Section 4.1 of the Carthage City Charter.

6. On May 21, 2024, at a special council meeting to consider Ordinance No. 24-27 concerning his impeachment, Mayor Rife vacated the chair because of his conflict of interest on the question. The ordinance was approved by the Carthage City council. At a regular council meeting on May 28, 2024, Mayor Rife vetoed the ordinance, despite his conflict of interest, and so violated Subsections 1 and 4 of Section 105.452.1 of the Revised Statutes of Missouri and Section 4.1 of the Carthage City Charter.

Impeachment Procedures

The Carthage City Council shall hold a public hearing on September 25, 2024 at 3:00 p.m. to consider the noted charges. The hearing shall be held at the Catharge Water and Electric Community Room. The hearing shall be conducted as follows:

- A. The City's special counsel shall have the burden of proving the alleged charges, and Mayor Rife may be represented by counsel at the hearing.
- B. The parties shall be entitled to present evidence and cross-examine witnesses in accord with Section 536.070 of the Revised Statutes of Missouri.
- C. The hearing may be continued from day to day, or adjourned and recommenced at a subsequent date, as determined by the Carthage City Council.
- D. Hearing testimony shall be recorded and preserved by a court reporter who shall also maintain exhibits as part of the record of the hearing.
- E. After the conclusion of the hearing the Council shall consider the evidence presented at the hearing and shall determine whether Mayor Rife is guilty of one or more of the charges presented, and if so, whether he should be removed from office.
- F. The Council shall approve a written summary of its determinations, including findings of fact and conclusions of law in support of its decisions, and on approval shall immediately deliver notice thereof to all interested parties.
- G. Any aggrieved party may appeal the Council's judgment to the Jasper County Circuit Court within 30 days of the delivery of notice to said party.

Respectfully Submitted:

Paul Martin, MBE#34428
Carthage Special Counsel

Date

BEFORE THE COUNCIL OF
THE CITY OF CARTHAGE, MISSOURI
ACTING AS A BOARD OF IMPEACHMENT

In The Matter of the Impeachment	)
of the Mayor:	)
	)
City of Carthage,	)
	)
Relator,	)
	)
v.	)
	)
Dan Rife,	)
	)
Respondent.	)

Motion to Approve and Adopt
Revised Articles of Impeachment

The City of Carthage, acting through its Special Counsel, Paul Martin, hereby moves that the Carthage City Council, acting as a Board of Impeachment, approve and adopt Revised Articles of Impeachment, attached hereto and executed and dated as of September 9, 2024, and in support states:

1. Mayor Rife was previously charged by Special Counsel with executing certain contract documents without the approval of the Carthage City Council, specifically pertaining to Mr. Greg Dagnan, Lauber Municipal Law, and Jeff Asbell Excavating and Trucking.

2. Special counsel has obtained evidence that, after having been so charged, Mayor Rife, without approval from the Carthage City Council, effected the payment of city funds to Mr. Dagnan, Lauber Municipal Law, and Jeff Asbell Excavating and Trucking pursuant to the aforementioned unauthorized contracts.

3. Special Counsel accordingly has prepared Revised Articles of Impeachment, attached hereto and executed and dated as of September 9, 2024, so that the Carthage City Council, acting as a Board of Impeachment, may consider Mayor Rife's unauthorized actions in paying these funds as part of the charges against him.

The City of Carthage accordingly moves that the Carthage City Council, acting as a Board of Impeachment, approve and adopt Revised Articles of Impeachment, attached hereto and executed and dated as of September 9, 2024

Respectfully Submitted:

Paul Martin, MBE#34428
Carthage Special Counsel

Date

RESOLUTION NO. 2053

A RESOLUTION AUTHORIZING A SUPPLEMENTAL BUDGET ADJUSTMENT TO THE GOLF FUND FOR FISCAL YEAR 2024-2025 FOR A LINE ITEM ADJUSTMENT OF \$20,000 TO THE MAINTENANCE LINE ITEM FOR THE PURCHASE OF BLUEGRASS SEED TO BE USED ON THE FAIRWAYS TO HELP REDUCE WINTERKILL.

WHEREAS, the City adopted a budget and appropriated funds for fiscal year 2024-2025; and

WHEREAS, unanticipated expenditures are expected to exceed the original adopted budget in the General Revenue Fund and budgetary changes are necessary within this fund to provide increased appropriation levels; and

WHEREAS, the City may increase the current year adopted budget through supplemental appropriations; and

WHEREAS, the Public Services Committee met and discussed additional appropriations at their August 20, 2024 meeting.

WHEREAS, the Budget Ways & Means Committee met and discussed additional appropriations at their September 9, 2024 meeting.

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

That the City hereby approves the implementation of a line item adjustment to the Maintenance line item in the Golf Fund for \$20,000 to allow for the purchase of bluegrass seed.

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Dan Rife, Mayor

ATTEST:

Miranda Deal City Clerk

Sponsored by: Budget Committee