City of Carthage, Missouri

CITY COUNCIL

August 13, 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=3KSRduFoE9o

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, Derek Peterson, Lori Leece, Terri Heckmaster, Dustin Edge, Alan Snow, Tom Barlow, Tiffany Cossey, and Jana Schramm. 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 July 23, 2024 Council Meeting with the following amendments:

On the first page, where it says Ms. Cossey asked to remove Kirk Friesen's name, she wanted it noted that he did not give his name and address and that she doesn't want to remove it, she just wants to note that he didn't give it and she doesn't want it changed to merchant of hate Carthage, Missouri, but that is the way he identified himself. **Ms. Cossey made a motion at the 8-27-24 council meeting to keep merchant of hate in the original minutes since that is how he identified himself, and to also include the individual's name and address if we have it.

On the third page, under remarks of council members, it states that Ms. Cossey admitted that she was hard to Ms. Leece, but her exact wording was that she spoke more harshly than intended and that it was at the very first council meeting and that it is not a continuing issue.

The minutes are lacking on the fourth page where it talks about Mr. Martin presented the articles. The minutes leave out the comments from Mr. Gold, she would like it added that Mr. Gold said Mr. Martin was correct in that the ordinances allow for the city council to impeach a Mayor and that he said the articles that were being asked to adopt were one avenue by which a hearing could be held.

On the fifth page in the first paragraph, there was a statement that said Ms. Cossey said that the articles were still true, she did not say that, she said that people need to read the charges and decide if they believe that these things are still true and if so, should they be brought forward in a hearing. There is another sentence that says she stated the impeachment was about proving that they city council could do things and that was not correct, she said that it was about determining if the city council has the right to govern or if it is a dictatorship. She also wanted it added that there have been two new charges added since the impeachment process has started and that the Mayor unilaterally signed a contract for $280,000 without council approval and refused to dismiss a city administrator who was terminated by the city council.

Motion to approve the minutes with the listed amendments carried unanimously.

Under presentations, Jen Kirby introduced Chris Harder and gave a brief description of Placer.ai. Chris Harder joined the meeting via zoom to add additional information about the software and answer questions from the council. There were many questions for Chris regarding the security of the data that is collected, the company and their history and where they are located. There were concerns from some council members about the security and the use of location tracking. Mr. Peterson asked about location services on phones and if they were shut off if information would be tracked. Ms. Schramm specifically asked about the places that are not tracked, the company had gotten in trouble in the past for giving out information about abortion clinics and after that they adjusted the list of places not tracked. She is worried the program is not looking after the citizens and is worried that it will be able to track where people live. Mr. Harder explained that there is no way to identify a house or a person that was visited at a location, the location is narrowed down to a census block group or a zip code. Ms. Schramm also asked about the origin of the company and the CEO's past. Mr. Harder did not answer and Ms. Schramm stated that their CEO is from Israel and has been a member of the secret intelligence force in Israel and the company is still based in Israel so everyone's information is unsecure and the software is a threat to our system and security and people need to know that it is not a US-based company. Mr. Snow asked about being tracked to McDonald's and then getting text message coupons based on him frequenting McDonald's. Mr. Harder said that they do not have ad targeting, they require the apps to strip that kind of information before they get it. Mr. Harder said that mobile advertising Id's is the type of information that is stripped by the app partners before they get it. They do not want that information, they only get the anonymized location data with no device ID's or billings addresses or anything identifiable. Mr. Harder also showed the council types of reports that could be generated with the software and showed Marian days and Maple leaf information for past years. There were also questions on how quickly the data is updated and Mr. Harder reported that there is a 3 day lag with the information so you can't see information in real time, it will be available after a few days.

During Citizen's Participation, Joel Terry, 2219 Alison, spoke against the placer.ai software and asked the council to vote no on it.

Ron Wells, 2026 S Maple, thanked Mr. Taylor and Mr. Hawkins for their efforts to help the speeding issue in his neighborhood. He said when there is an officer who sits out there, no one speeds, but as soon as they leave, people speed through again. He asked the council to maybe look at the speed ordinance for side streets and said he would go to public safety on Monday. He thanked Mr. Taylor for getting the tree at the corner of Maple and Fairview looked at, it has been determined that the tree is not close enough to the street for the City to remove it. He also said he was against the placer.ai software.

Susan Myer, 805 Clinton, spoke about a neighbor and the overgrowth of the property next to her house. She also spoke about the stray cat population in the area and at the same neighbors house. She spoke to code enforcement back in May and nothing has been done about the house.

Tom Nixon, 2444 S County Lane 124, also part of the fire chief hiring committee. He spoke on the committees discussions and agreement on hiring Jason Martin as the fire chief and the recent uncertainty that has come to light about the decision. He wasn't sure what the purpose of the closed session before the fire chief appointment whenever it had already been discussed and the committee made a decision. He said that over 95% of the fire department wants Martin as chief and that he is the best man for the job.

Matt Fasano, 16842 Indian Road, got up and spoke in favor of having Jason Martin as the new fire chief.

Jeff Meredith, CEO of the Carthage Economic Development Corporation, spoke in favor of placer.ai and that it would be beneficial to the city to have. He explained that if someone doesn't want to be tracked, they simply go to their phone settings and turn off all of their location services. The data is already out there and we are just wanting to be able to have access to that data. He talked about new businesses most likely using data to decide to build in Carthage, and that the information is valuable and can be used for many things including economic development to help grow the city.

Mr. Snow reported that the Budget Ways and Means Committee met on August 12. The committee approved the council bill for the MoDOT Taxi grant program. This year the City will get a little over $16,000 to help fund the taxi. The property tax levy was reviewed and approved, it appears in Council Bill 24-43, residential values went up, agriculture went down, and commercial went up. The tax levy will stay the same as last year. They also approved Resolution 2048 for a budget adjustment for a new parks truck that was originally in the budget, but when things got transferred over, it was left off accidentally. Resolution 2049 was approved, it was to hire an architectural historian to help develop guidelines for the historic district, this is part of a grant the City has received. Resolution 2050 was for a CDBG grant for downtown sidewalks outside the square, the City will be responsible for $180,000 and the grant will be for $750,000. Mr. Snow also reported that sales tax was up and use tax was down for the month. The marijuana tax was $12,400 for the month which is higher than recent months. The next meeting is September 9 at 5:30.

Ms. Cossey reported that the Committee on Insurance, Audit and Claims met on this day and approved the claims. They approved the new job description for the Mechanic position. Ms. Cossey made a motion, seconded by Mr. Taylor to approve the Mechanic job description. Motion carried. They also approved the payment for the new fire truck. Ms. Cossey asked Ms. Cox to explain how the financing for the new fire engine worked. Ms. Cox reported that the truck was supposed to be received in February, but to lock in the low interest rate, they had to put the funds in an escrow account, once the title is received with the Bank of America on it, the funds will be moved from escrow and the City will start making quarterly payments to the bank. The next meeting is scheduled for August 27 at 5:30.

Ms. Heckmaster reported that the Public Safety Committee is between meetings with the next meeting scheduled for August 19 at 5:30.

Mr. Edge reported the Public Services Committee is between meetings with the next meeting scheduled for August 20 at 5:30.

Mr. Taylor reported that the Public Works Committee met on August 6 and reviewed council bill 24-42 for the Republic Services renewal, they also approved the Vision Zero Safety Plan in Resolution 2047. The next meeting is September 3 at 5:30.

Special Committee and Board Liaison reports were given by Mr. Barlow for the Public Library and Mr. Peterson for the Kellogg Lake Board.

Mayor Rife reported on Marian days and hiring committee meetings.

During Remarks from Council Members, Ms. Schramm thanked the Chamber for the Marian Days tour and thanked all for their hard work. Ms. Cossey thanked Mr. Roberts with the YMCA for her recent tour of all the YMCA facilities in town. Ms. Heckmaster thanked all the departments for their hard work during Marian days. She also thanked Ms. Almandinger for getting some defaced picnic tables taken care of quickly, she also looks forward to Maple Leaf that is coming up soon. Ms. Leece thanked everyone for their work for Marian days. Mr. Peterson said he was out of town the week before Marian days but spoke with a lady on his flight back who was on her way to town for the event. Mr. Taylor talked with many people who attended Marian days and thanked everyone for their work in making it a smooth event.

Parks and Recreation Director Abi Almandinger reported that work on Griggs park is underway, she also reported that Central Park and Municipal park restroom renovations are almost complete. She also reported that the Kellogg Lake fountain is irreparable, and she has budgeted for a new fountain in this fiscal year. She also reported that a prospective eagle scout reached out to her about their eagle scout project and that they painted the railing on the pavilion and bumpers in the park out at Kellogg Lake. She congratulated Wyatt Holliday on the project and thanked all the boys scouts that came out for the project.

Interim City Administrator Traci Cox reported that the property tax values increased by 1.75 million dollars for residential, 2.2 million for commercial, there is no personal property tax, so the increase in values will be about a $28,000 increase in revenue for the City. She also reported that about 95-98% of property taxes get collected. She also reported that the month of June has been closed and that the actual numbers had been sent to Cleargov to be updated. She reported that the Resolution for the Vision Zero Safety Plan is a requirement for the SS4A grant that the city has received. She also commended the staff on their work during Marian days and thanked Jen Kirby for all the time she had spent out there gathering information to create a story on what kind of work goes into this large event every year.

The Committee on Claims filed a report in the amount of $7,858,893.58 against the following funds: General Revenue $715,409.95, Public Health $156,795.71, Lodging $1,778.71, Parks/Stormwater $48,679.42, Fire Protection $690,000.00, Golf $34,389.52, Capital Improvements $16,280.00, Parks and Recreation $52.35, Myers Park $15,294.00, Use Tax $171,024.59, Public Facilities $250,527.45, Library $35,000.00, Payroll $723,661.88, and Carthage Water and Electric $5,000,000.00. Ms. Cossey made a motion, seconded by Ms. Heckmaster, to accept the report and allow the claims. Motion carried.

Under Old Business, C.B. 24-38 -- An Ordinance authorizing the Mayor to enter into an Agreement between the City of Carthage, Missouri and Placer Labs, Inc. for the use of an advanced location analytics platform to provide visibility and accurate, actionable insights into consumer demand for any location, with reporting that includes visit trends was placed on second reading.

Ms. Cossey made a motion, seconded by Ms. Leece, to table Council Bill 24-38 until the October 8th Council meeting. Motion carried.

C.B. 24-39 -- An Ordinance authorizing the Mayor to enter into an amended contract with the Carthage Chamber of Commerce for Specified Services in the City of Carthage, from July 1, 2024 to June 30, 2026, in the City of Carthage, Missouri was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. The Council Bill was approved and numbered Ordinance 24-40.

C.B. 24-40 -- An Ordinance to amend Section 2-498. Composition; Appointment, of the Code of Carthage was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. The Council Bill was approved and numbered Ordinance 24-41.

Under New Business, C.B. 24-41 -- An Emergency Ordinance to authorize the Mayor to apply for federal financial assistance on behalf of the City of Carthage and to execute any contract(s) resulting from such application for any grants between the City of Carthage and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for Commission-approved transit projects was placed on first reading.

Mr. Taylor made a motion, seconded by Ms. Leece to forward Council Bill 24-41 to second reading due to its emergency status. Motion carried unanimously.

C.B. 24-41 -- An Emergency Ordinance to authorize the Mayor to apply for federal financial assistance on behalf of the City of Carthage and to execute any contract(s) resulting from such application for any grants between the City of Carthage and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for Commission-approved transit projects was placed on second reading followed by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm. The Council Bill was approved and numbered Ordinance 24-42.

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 first reading with no action taken.

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 first reading with no action taken.

Consider and discuss a new hearing date for the impeachment hearing. Ms. Cossey stated that Mr. Martin had contacted the council and getting all parties together was not possible for the date that was set at the last meeting. The soonest availability is September 24, 25, and 26. September 24 is a regularly scheduled Council meeting date so if that date is chosen, the council would have to choose to cancel or reschedule the meetings on that date. She asked if anyone had conflicts on those dates, Mayor Rife stated that he would prefer to not cancel a Council meeting since there has been so much coming through council. Ms. Cossey made a motion, seconded by Ms. Heckmaster to have the impeachment hearing on September 25 at 3 pm at the Carthage Water and Electric Community Room. Motion carried unanimously.

Consider and discuss the hiring of a hearing officer and court reporter for the impeachment hearing

Ms. Cox said that a budget adjustment would need to be made for the hiring of a court reporter and the hearing officer. There would also need to be a council bill to hire the hearing officer since there is a contract involved, that council bill and contract will go to the September budget meeting and then to council for approval.

Ms. Cossey made a motion, seconded by Mr. Snow, to hire Don Holliday with Holliday Reporting to be the court reporter for a $100 appearance fee and then an estimated $300 per hour which includes transcripts. Motion carried unanimously.

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 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 at 8:27 p.m.

There was a short recess before the closed session started. Council went into closed session at 8:34 p.m.

CLOSED SESSION

Ms. Leece made a motion, seconded by Mr. Taylor, to return to the regular session of the Council Meeting at 10:05 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.

Mayor Rife called the meeting back to order at 10:10 pm.

Mr. Taylor made a motion, seconded by Mr. Barlow to table the appointment of a Fire Chief until the September 10 Council Meeting. Motion carried with 8 yeas and 1 abstain. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Barlow, Cossey, and Schramm. Abstain: Snow

Ms. Cossey made a motion, seconded by Ms. Heckmaster, to approve the Mayor's appointment of Philip Brown to the Planning, Zoning, and Historic Preservation Committee until August of 2027. Motion carried.

Mr. Snow made a motion, seconded by Mr. Barlow, to approve Resolution 2047 -- A Resolution of the City Council of the City of Carthage, Missouri adopting a Vision Zero Safety Action Plan for the City and declaring a commitment to maintaining zero roadway fatalities and serious injuries within the City limits by June 2035. Resolution 2047 was adopted by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm.

Mr. Snow made a motion, seconded by Ms. Leece, to approve Resolution 2048 -- A Resolution authorizing a supplemental budget adjustment to the Use Tax Fund for Fiscal Year 2024-2025 for a line item adjustment to the Capital Outlay-Parks line item. Resolution 2048 was adopted by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm.

Mr. Snow made a motion, seconded by Ms. Heckmaster, to approve Resolution 2049 -- A Resolution authorizing a supplemental budget adjustment to the General Revenue Fund for Fiscal Year 2024-2025 for a line item adjustment to the Central Municipal Activities Professional Services Line Item. Resolution 2049 was adopted by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm.

Mr. Snow made a motion, seconded by Ms. Heckmaster, to approve Resolution 2050 -- A Resolution of the City of Carthage, Missouri, stating intent to seek funding through the Community Development Block Grant Program and authorizing the Mayor to pursue activities in an attempt to secure funding. Resolution 2050 was adopted by a roll call vote of 9 yeas and 0 nays. Ayes: Taylor, Peterson, Leece, Heckmaster, Edge, Snow, Barlow, Cossey, and Schramm.

During Closing Comments, Mr. Snow wished all the kids and teachers luck with the new school year starting.

Ms. Schramm made a motion, seconded by Ms. Heckmaster to close the meeting according to section 610.021 (1), the agenda includes the possibility of a vote to close part of the meeting to discuss legal actions, causes of action or litigation involving a public governmental body or its representatives and its attorneys AND according to Section 610.021 (2) the Agenda includes the possibility of a vote to close part of the meeting to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor, 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 at 10:16 p.m.

There was a short recess before the closed session started. Council went into closed session at 10:20 p.m.

CLOSED SESSION

Mr. Snow made a motion, seconded by Mr. Peterson, to return to the regular session of the Council Meeting at 10:59 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 Mr. Taylor, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 11:03 p.m.

CLOSED SESSION
MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
August 13, 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.

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 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 at 8:27 p.m.

There was a short recess before the closed session started. Council went into closed session at 8:34 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 Attorney Jon Gold and City Clerk Miranda Deal were also present.

The council met in closed session to discuss the appointment of a new Fire Chief. The Mayor put forth a recommendation of a candidate for the Fire Chief position and the council considered it carefully. Attorney Gold advised the council that according to section 4.11 of the City's Charter, the Mayor, with the consent and approval of a majority of the members elected to the City Council, shall have power to appoint such officers as he may be authorized by ordinance. After much discussion, it was agreed upon that the council was not ready to cast votes for or against the recommendation of the Mayor for the appointment. The council agreed to have another closed session at the next meeting of the council to further discuss and consider the Mayor's recommendation for the appointment of Fire Chief.

Ms. Leece made a motion, seconded by Mr. Taylor, to return to the regular session of the Council Meeting at 10:05 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

CLOSED SESSION
MINUTES OF THE MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
August 13, 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.

Ms. Schramm made a motion, seconded by Ms. Heckmaster to close the meeting according to section 610.021 (1), the agenda includes the possibility of a vote to close part of the meeting to discuss legal actions, causes of action or litigation involving a public governmental body or its representatives and its attorneys AND according to Section 610.021 (2) the Agenda includes the possibility of a vote to close part of the meeting to discuss leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefor, 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 at 10:16 p.m.

There was a short recess before the closed session started. Council went into closed session at 10:20 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 Attorney Jon Gold and City Clerk Miranda Deal were also present.

Attorney Gold updated the council on a legal issue regarding an Opengov contract.

Attorney Gold left the closed session meeting at 10:34 p.m.

Jeff Meredith, CEO of the CEDC joined the closed meeting at 10:36 p.m. for the second portion of the closed session. He updated the council on the past projects he has presented to them and let them know that one of them was awarded to the City and it will be coming before the council in the future. He has not heard back on the second project. He spoke to the council on a new potential project that could be coming to Carthage. If the project does get awarded to Carthage, it will come back before City Council for approval.

Mr. Snow made a motion, seconded by Mr. Peterson, to return to the regular session of the Council Meeting at 10:59 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