

**COUNCIL AGENDA  
CITY OF CARTHAGE, MISSOURI  
TUESDAY, OCTOBER 25, 2016  
7:30 P.M. – COUNCIL CHAMBERS**

1. Invocation
2. Pledge of Allegiance
3. Calling of the Roll
4. Reading and Consideration of Minutes of Previous Meeting
5. Citizens Participation Period
6. Report of Standing Committees
7. Report from Special Committees and Board Liaisons
8. Mayor's Report
9. Miscellaneous Reports of Officers of the City
10. Report of Claims Committee
11. Old Business
  1. **CB 16-44** – An Ordinance to add Section 23-641 of the Carthage Code to define recreational off-highway vehicles as defined in the Missouri Revised Statutes. (Public Safety)
  2. **CB 16-45** – An Ordinance amending the Purchasing Manual of the City of Carthage by adding a new Appendix I regarding Federal Transit Administration programs. (Committee on Insurance Audit & Claims)
  3. **CB 16-46** – An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage and the Missouri Highway and Transportation Commission providing for a Municipal Agreement for J7P2228F and J7P2228G. (Public Works)
  4. **CB 16-47** – An Ordinance amending the Annual Operating and Capital Budget of the City of Carthage for the fiscal year 2016 – 2017. (Budget Ways and Means)
12. New Business
13. Mayor's Appointments

#### 14. Resolutions

1. **Resolution 1787** – A Resolution expressing support of the City of Carthage's application for funds through MoDOT's Transportation Alternative (TAP) Program and authorizing the submission of an application relating to the Proposed Long Range Citywide Sidewalks Improvements Project, Phase III. (Public Works)
2. **Resolution 1788** – A Resolution providing for the formal acceptance of a donation by the City Council of the City of Carthage, Missouri pursuant to city policy. (Public Safety)
3. **Resolution 1789** - a Resolution of the City Council of the City of Carthage approving a staff recommendation granting an administrative lot split for property located at south side of Elk street east of Grand Ave, Carthage, Missouri.

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

**MINUTES OF THE MEETING OF THE CITY COUNCIL  
CITY OF CARTHAGE, MISSOURI  
October 11, 2016**

The Carthage City Council met in regular session on the above date at 7:30 P.M. in the City Hall Council Chambers with Mayor J. Michael Harris presiding. Fire Chief Roger Williams gave the invocation and Police Chief Greg Dagnan led the flag salute.

The following Council Members answered roll call: Jason T.A. Shelfer, Jim Swatsenbarg, Juan Topete, Larry Chapin, Tim Shields, Mike Daugherty, Dan Rife, Darren Collier, and Brady Beckham. City Attorney Nate Dally was present. City Administrator Tom Short was absent.

The following Department Heads were present: Police Chief Greg Dagnan, Fire Chief Roger Williams, Public Works Director Zeb Carney, Parks Director Alan Bull and City Clerk Traci Cox.

Mr. Chapin made a motion, seconded by Mr. Swatsenbarg, to approve the minutes of the September 27, 2016 Council Meeting. Motion carried.

No citizens were present during Citizen's Participation Period.

Mr. Swatsenbarg reported the Budget, Ways and Means Committee met October 10 to discuss budget amendments and sales tax revenues.

Mr. Shelfer reported the Committee on Insurance/Audit and Claims met on this date in the Council Chambers and approved the claims. Mr. Shelfer made a motion, seconded by Mr. Daugherty, to approve an adjustment to the IT position from a Grade 5, Step 1 to the Grade 6, Step 6 level. Motion passed

Mr. Rife reported the Public Safety Committee was between meetings with the next meeting scheduled for October 17.

Mr. Beckham reported the Public Services Committee met on October 3. It was noted that improvements at Carter Park had begun.

Mr. Shelfer reported the Public Works Committee met on October 4. The agreement with MoDOT regarding the 96 bridge project was discussed. Anderson Engineering was also approved to provide engineering and surveying for a proposed office building in Myers Park.

Special Committee and Board Liaison reports were given by Mr. Swatsenbarg for the Carthage Water & Electric Plant, Harry S Truman Coordinating Council, the Planning and Zoning Board and Vision Carthage Committee, Mr. Chapin for the Tree Board and Mr. Shelfer for the Carthage Convention and Visitors Bureau and the Jasper County Commissioners' Meeting.

Mayor Harris reported he had attended the Library Board Meeting and there were a lot of positive things going on there.

Police Chief Dagnan commented that Maple Leaf is an exciting time and there had been several interesting meetings to get it going. He informed the council that the Police Department is the first to conduct citizen surveys for those in which they have interaction with and have had positive feedback on the surveys.

Fire Chief Williams reported the monthly storm siren test may be delayed due to the weather and the recent Safety Fair went well. He also reminded everyone of the Pancake Feed and Firework Display.

Public Works Director Zeb Carney reported that the agreement with MoDOT included installation of lights on the bridge. The city will be responsible for utilities and maintenance for the lights.

Parks Director Alan Bull reported his department will be active with the fireworks display in Central Park and the carnival at Fair Acres. Blevins Asphalt will also be working on the streets in the park next week.

The Committee on Claims filed a report in the amount of \$687,833.16 against the following funds: General Revenue \$70,917.91, Public Health \$459.08, Parks/Stormwater \$53,011.81, Public Safety \$1,336.88, Golf Course \$3,031.86, Lodging \$8,333.33, Parks & Recreation \$31.01, Inmate Security \$615.66, Library \$20,761.89, Capital Improvements \$168,939.23, Public Facilities/Bond \$6.47, and Payroll \$360,388.03. Mr. Shelfer made a motion, seconded by Mr. Daugherty, to accept the report and allow the claims. Motion carried.

Under old business, CB 16-43 – an Ordinance rezoning certain property at 519 West Fairview in the City of Carthage from District “A”, First Dwelling, to District “O”, Non-Retail, as requested by Carolyn Wyatt was placed on second reading followed by a roll call vote of 7 yeas and 2 nays. Bill passed. Mr. Chapin and Mr. Shelfer cast the nay votes.

Under new business, CB 16-45 – an Ordinance amending the Purchasing Manual of the City of Carthage by adding a new Appendix I regarding Federal Transit Administration programs was placed on first reading with no action taken.

CB 16-46 – an Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage and the Missouri Highway and Transportation Commission providing for a Municipal Agreement for J7P2228F and J7P2228G was placed on first reading with no action taken.

CB 16-47 – an Ordinance amending the Annual Operating and Capital Budget of the City of Carthage for the fiscal year 2016 – 2017 was placed on first reading with no action taken.

During closing remarks, Mr. Chapin stated he will regretfully miss Maple Leaf, Mr. Shields commented on how nice the square looks, and Mr. Daugherty complimented the efforts of the Police Department, Fire Department, Public Works and Chamber of Commerce to make Maple Leaf a success.

Mr. Beckham made a motion, seconded by Mr. Shelfer, to close the meeting according to Section 610.021 (2) RSMO, 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 thereof followed by a roll call vote on the board of 9 yeas and no nays. Motion carried.

#### CLOSED SESSION

Mr. Daugherty made a motion, seconded by Mr. Beckham, to return to the regular session of the Council Meeting followed by a roll call vote on the board of 9 yeas and no nays. Motion carried.

Mr. Beckham made a motion, seconded by Mr. Chapin, to adjourn the regular session of the Council meeting. Motion carried and meeting adjourned at 8:41 PM.

---

J. Michael Harris, Mayor

---

Traci Cox, City Clerk

***OLD  
BUSINESS***

**COUNCIL BILL NO. 16-44**

**ORDINANCE NO. \_\_\_\_\_**

An Ordinance to add Section 23-641 of the Carthage Code to define recreational off-highway vehicles as defined in the Missouri Revised Statutes.

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

**SECTION I:** Chapter 23 of the Carthage Code is hereby added Section 23-641 to read:

- **Sec 23-641 Recreational Off Highway Vehicle**
  - a) **Definitions:** “Recreational off-highway vehicle”, is any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more non-highway tires and which may have access to ATV trails.
  - b) **Regulations:** Sections 23-632, 23-633, 23-634, 23-635, 23-637, 23-638 and 23-639 as stated above shall Apply to operators of All Recreational Off Highway Vehicles driven within the City of Carthage.

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

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**Sponsored by: Public Safety Committee**

Gentlemen,

We have discussed this around in the Police Department for 6 to 8 months now. I'm pretty confident that this change needs to be done and that this is the way to fix our problem from the research that we've done. We are having a problem with RZR and other 4 wheel (usually two seater) vehicles driving around the city, and people are calling in and complaining. Right now, these are not illegal in the city (only state laws apply) but I think adding this paragraph would solve the problem. Even though there are some things that I would like to change about the current ATV ordinance after reading it, we're not having problems with any portion of this ordinance so I chose to leave it untouched. I've attached below the current ordinance and the new wording. By the way, the definition of recreational off-highway vehicle is the one from the state statute. The trick is to keep what we have on ATVs since it is working, but include RZR's in the mix as well. I have place a pic of a RZR below, they do not fit our current definition of ATV, thus causing the problem. The new criminal code change in 2017 will not affect this state law. Below is the current ordinance along with the proposed paragraph.



- ARTICLE IX. - ALL-TERRAIN VEHICLES [4]

- Sec. 23-631. - Definitions.

An all-terrain vehicle is any motorized vehicle manufactured and used exclusively for off-highway use that is fifty (50) inches or less in width, with an unloaded dry weight of six hundred (600) pounds or less, traveling on three (3), four (4) or more low-pressure tires with a seat designed to be straddled by the operator, and handlebars for steering control.

(Ord. No. 6139, Â§ I, 7-26-88)

- Sec. 23-632. - Prohibited on city streets; exceptions.

No person shall operate an all-terrain vehicle upon the streets of this city, except as follows:

(1) All-terrain vehicles operated for agricultural purposes or industrial on premise purposes between the official sunrise and sunset on the day of operation.

(2) All-terrain vehicles whose operators carry a special permit issued by this city. The city clerk shall prepare an application form for the special permit and charge a fee of fifteen dollars (\$15.00) for each permit.

(Ord. No. 6851, Â§ II, 7-26-88)

- Sec. 23-633. - Prohibited in streams, exceptions.

No person shall operate an all-terrain vehicle within any stream or river in this city, except that all-terrain vehicles may be operated within waterways that flow within the boundaries of land that an all-terrain vehicle operator owns or has permission to be upon.

(Ord. No. 6139, Â§ III, 7-26-88)

- Sec. 23-634. - License and flag required.

A person operating an all-terrain vehicle on a street or highway pursuant to an exception covered in this article shall have a valid operators' or chauffeurs' license, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than thirty (30) miles per hour. When operated on a street or highway, an all-terrain vehicle shall have a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty (30) square inches and shall be day-glow in color.

(Ord. No. 6139, Â§ IV, 7-26-88)

- Sec. 23-635. - Careless driving; under the influence; helmet required.

No person shall operate an all-terrain vehicle:

- (1) In any careless way so as to endanger the person or property of another;
- (2) While under the influence of alcohol or any controlled substance;
- (3) Without a securely fastened safety helmet on the head of an individual who operates an all-terrain vehicle unless the individual is at least eighteen (18) years of age.

(Ord. No. 6139, Â§ V, 7-26-88)

- Sec. 23-636. - Passengers prohibited, exception.

No operator of an all-terrain vehicle shall carry a passenger, except for agricultural purposes.

(Ord. No. 6139, Â§ VI, 7-26-88)

- Sec. 23-637. - Equipment required.

All all-terrain vehicles operated within the city shall have the equipment installed upon them as specified in section 307.198 RSMo.

(Ord. No. 6139, Â§ VII, 7-26-88)

- Sec. 23-638. - Private property.

No person shall operate an all-terrain vehicle on private property without the consent of the owner or lessor thereof.

(Ord. No. 6139, Â§ VIII, 7-26-88)

- Sec. 23-639. - Penalty.

Any person found guilty of violating this article shall be subject to a fine not to exceed five hundred dollars (\$500.00).

(Ord. No. 6139, Â§ IX, 7-26-88)

- Sec. 23-640. - Golf carts.

(a) Definition. A golf cart which may be operated on the streets, roads and alleyways of the city shall be classified as a low-speed vehicle.

(1) The following must appear on the manufactured statement of origin (MSO):

a. The body type must be specified as a low speed vehicle.

b. There must be a statement indicating that the LSV meets or exceeds the minimal federal safety requirements.

(2) All golf carts classified as low-speed vehicles shall be manufactured in compliance with the National Highway Traffic Safety Administration standards for low-speed vehicles. Golf carts operated on city streets shall conform to safety standards as outlined in 49 C.F.R. 571.500.

(b) Notwithstanding any other provisions of law, all golf carts will be defined as motor vehicles for the purpose of any law dealing with driving under the influence, driving while intoxicated and driving while suspended or revoked.

(c) Requirements for operating golf carts on city streets, roads or alleyways within the city:

(1) The golf cart shall be currently registered and licensed pursuant to city ordinances;

(2) Any individual operating a golf cart shall have a valid operator's or chauffeur's license, but is not required to pass an examination for the operation of a motorcycle;

(3) The golf cart shall be properly insured and such proof of insurance shall specifically list the vehicle as referenced by the serial number and year of model;

(4) Any individual operating a golf cart shall be at least eighteen (18) years old;

(5) Any individual operating a golf cart shall wear a properly fastened seat belt;

(6) The golf cart shall be operated at a speed of less than twenty (20) miles per hour (RSMo 304.034).

(7) The golf cart shall have a bicycle safety flag, which extends not less than seven (7) feet above the ground, attached to the rear of the vehicle; the flag shall be day-glow colored and shall be triangular shaped, with an area not less than thirty (30) square inches.

(8) The golf cart shall be properly equipped with headlights, tail lights, brake lights and turn signals.

(d) No individual operating a golf cart shall:

(1) Operate the golf cart in any careless or imprudent manner so as to endanger any person or property of any person;

(2) Operate the golf cart on any federal, state or county highways, except to cross;

(3)No golf cart shall cross any federal or state highway at an intersection where the highway being crossed has a posted speed limit of more than forty-five (45) miles per hour.

(e)Violations of this section shall be a misdemeanor.

(Ord. No. 10-24, Â§ I, 7-27-10)

New Wording

- Sec 23-641 Recreational Off Highway Vehicle

a) Definitions: "Recreational off-highway vehicle", is any motorized vehicle manufactured and used exclusively for off-highway use which is more than fifty inches but no more than sixty-seven inches in width, with an unladen dry weight of two thousand pounds or less, traveling on four or more non-highway tires and which may have access to ATV trails.

b) Sections 23-632, 23-633, 23-634, 23-635, 23-637, 23-638 and 23-639 above Shall Apply to operators of All Recreational Off Highway Vehicles driven within the City of Carthage.

COUNCIL BILL NO. 16-45

ORDINANCE NO. \_\_\_\_\_

An Ordinance amending the Purchasing Manual of the City of Carthage by adding a new Appendix I regarding Federal Transit Administration programs.

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

**SECTION I:** The Purchasing Manual of the City of Cartage is hereby amended to include the addition of a new section (Appendix I, FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS), as set forth on the attachment hereto.

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

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**J. Michael Harris, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Traci Cox, City Clerk**

Sponsored by: Insurance Audit & Claims Committee

**APPENDIX I**  
**FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDED PROGRAMS**

This appendix applies to procurements involving Federal Transit Administration (FTA) funded programs. Any sections of the Purchasing Manual which are in conflict with the provisions herein are hereby superseded.

**LOCAL PREFERENCES**

The City of Carthage will not grant any preference to local or State businesses for any procurement involving FTA-funded programs.

**SPECIAL PROVISIONS REGARDING FTA-FUNDED PROCUREMENTS**

**PROTESTS**

Pre-Bid Opening Protests. If an Offeror can demonstrate that the Contract Documents issued by The City of Carthage are unduly exclusionary and restrictive or that federal, state or local laws or regulations have been violated during the course of the procurement, then the Offeror may seek a review by the City Administrator or his appointed representative, at 326 Grant St. Protests shall be clearly identified as Protests and submitted in writing as early as possible, but no later than five (5) business days before proposal opening. Within four (4) business days after receipt of a pre-proposal protest, the City Administrator shall make one of the determinations listed in the paragraph entitled Rulings on Protests.

Post-Bid Opening Protests. A protest to the acceptance or rejection of any or of all offers or bids to a contract, or to the award thereof, or to any such action proposed or intended by The City must be received in writing by the City Administrator no later than five (5) business days after the protesting party first learned, or reasonably ought to have learned, of the action or the proposed or intended action to which he/she protests.

In the event the protester alleges that the City Administrator or the representative appointed by the City Administrator to serve as Decision-Maker for the particular protest, engaged in improper conduct during the subject procurement, the General Counsel shall serve as the Decision-Maker. In the event it has been alleged that the General Counsel has engaged in improper conduct during the subject procurement, either the City Administrator or the City Engineer shall serve as the Decision-Maker.

Rulings on Protests. Within four (4) business days, the City Administrator shall render one of the following determinations:

- (a) Protest is overruled.
- (b) Protest is substantiated. City Administrator shall issue instructions to remedy issues relating to the protest.
- (c) Procurement activity is suspended until written notification by the City Administrator.

The determination shall be in writing and shall provide at a minimum a general response to each material issue raised in the protest. All documents submitted by the Protester and/or City staff and reviewed by the Decision-Maker in the reaching of a determination shall form and be retained by The City as the formal record of the dispute resolution process.

The issuance of the foregoing determination is the City's final decision of the dispute.

All interested parties shall be notified of any protests that are filed. The City shall refrain from awarding a contract within five business days of the date of a decision rendered by the City Administrator regarding a protest, unless The City determines that:

- (a) The items to be procured are urgently required.
- (b) Delivery or performance will be unduly delayed by failure to make a prompt award.
- (c) Failure to make a prompt award will otherwise cause undue harm to the City of Carthage or the State or federal government.

Protester's Appeal to Federal or State Agencies. In the event that the City of Carthage fails to have written protest procedures or fails to abide by the protest procedures set forth above, and federal or state funds are participating in the procurement, then the protester may seek a review by the appropriate funding agency.

Protesters shall file such a protest not later than five (5) business days after a final decision is rendered under the City of Carthage's protest procedure. In instances where the protester alleges that the City failed to make a final determination on the protest, protesters shall file a protest with the appropriate agency not later than five (5) business days after the protester knew or should have known of the City's failure to render a final determination on the protest.

#### **REQUIREMENTS FOR DETERMINATION OF CONTRACTOR/VENDOR RESPONSIBILITY**

SAFETEA-LU amended 49 U.S.C. Section 5325 to require FTA-assisted contract awards be made only to "responsible" contractors possessing the ability, willingness, and integrity to perform successfully under the terms and conditions of the contract.

Responsibility is determined by the grantee after receiving bids or proposals and before making contract award. FTA expects the prospective contractor to demonstrate affirmatively to the grantee that it qualifies as "responsible" and that its proposed subcontractors also qualify as "responsible."

Factors to consider when making responsibility determinations include:

- Integrity and Ethics. Has a satisfactory record of integrity and business ethics, in compliance with 49 U.S.C. Section 5325(j)(2)(A).
- Debarment and Suspension. Is neither debarred nor suspended from Federal programs under US DOT regulations, "Non-procurement Suspension and Debarment."
- Affirmative Action and DBE. Is in compliance with the Common Grant Rule's Affirmative Action and US DOT's Disadvantaged Business Enterprise requirements.

- **Public Policy.** Is in compliance with the public policies of the Federal government, as required by 49 U.S.C. Section 5325(j)(2)(B).
- **Administrative and Technical Capacity.** Has the necessary organization, experience, accounting, and operational controls, and technical skills, or the ability to obtain them, in compliance with 49 U.S.C. Section 5325(j)(2)(D).
- **Licensing and Taxes.** Is in compliance with applicable licensing and tax laws and regulations.
- **Financial Resources.** Has, or can obtain, sufficient financial resources to perform the contract, as required by 49 U.S.C. Section 5325(j)(2)(D).
- **Production Capability.** Has, or can obtain, the necessary production, construction, and technical equipment and facilities.
- **Timeliness.** Is able to comply with the required delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments.
- **Performance Record.** Is able to provide a satisfactory current and past performance record.

REFERENCES: 49 U.S.C. Section 5325, 2 CFR 200.318(h), 49 CFR 18.36(b)(8) FTA Circular 4220.1F, Ch. VI, Section 8.b

## **DISPUTE RESOLUTION**

**Disputes** - Disputes arising in the performance of FTA contracts which are not resolved by agreement of the parties shall be decided in writing by City's authorized representative. This decision shall be final and conclusive unless within ten days from the date of receipt of its copy, the contractor mails or otherwise furnishes a written appeal to City's Program Director. In connection with any such appeal, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its position. The decision of City's Program Director shall be binding upon the contractor and the contractor shall abide by the decision.

**Performance During Dispute** - Unless otherwise directed by City, the contractor shall continue performance under a contract while matters in dispute are being resolved.

**Claims for Damages** - Should either party to a contract suffer injury or damage to person or property because of any act or omission of the party or of any of his employees, agents or others for whose acts he is legally liable, a claim for damages therefore shall be made in writing to such other party within a reasonable time after the first observance of such injury of damage.

**Remedies** - Unless a contract provides otherwise, all claims, counterclaims, disputes and other matters in question between City and a contractor arising out of or relating to an agreement or its breach will be decided by arbitration if the parties mutually agree, or in a court of competent jurisdiction within Jasper County, Missouri.

**Rights and Remedies** - The duties and obligations imposed by contract documents and the rights and remedies available hereunder shall be in addition to and not a limitation of any duties, obligations, rights and remedies otherwise imposed or available by law. No action or failure to act by City or contractor shall constitute a waiver of any right or duty afforded any of them under the contract, nor shall any such action or failure to act constitute an approval of or acquiescence in any breach hereunder, except as may be specifically agreed in writing.

**COUNCIL BILL NO. 16-46**

**ORDINANCE NO. \_\_\_\_\_**

An Ordinance authorizing the Mayor to execute an Agreement between the City of Carthage and the Missouri Highway and Transportation Commission providing for a Municipal Agreement for J7P2228F & J7P2228G.

**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 execute on behalf of the City of Carthage, an Agreement with the Missouri Highway and Transportation Commission providing for a Municipal Agreement for J7P2228F & J7P2228G.

**SECTION II:** That all ordinances or parts of ordinances therefore enacted which are in conflict herewith are hereby repealed.

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

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**J. Michael Harris, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Traci Cox, City Clerk**

**Sponsored by: Public Works Committee**

CCO Form: DE11  
Approved: 04/93 (CEH)  
Revised: 09/15 (AR)  
Modified: 09/16 (BDG)

Municipal Agreement  
Route: 96  
County: Jasper  
Job No.: J7P2228F & J7P2228G

## **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION MUNICIPAL AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and the City of Carthage, Missouri, a municipal corporation (hereinafter, "City").

### **WITNESSETH:**

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) IMPROVEMENT DESIGNATION: The public improvement designated as Route 96, Jasper County, Job Nos. J7P2228F & J7P2228G shall consist of replacing existing bridges K0428 & L0409.

(2) IMPROVEMENT WITHIN CITY: The improvement within the City is located as follows:

Beginning at Station 548+60, a point approximately 170 feet north and east of City street, Zapletal Way, running along the centerline of Route 96. Hence, the project runs northerly along Route 96 centerline to Station 590+39 just north of existing bridge L0409. Length of Improvement within the City is 4179.00 feet.

(3) EXTENT OF AGREEMENT: This Agreement shall apply only to the portion of the improvement lying within the city limits as they exist on the date this Agreement is executed by the City.

(4) LOCATION: The general location of the public improvement is shown on an attached sketch marked "Exhibit A" and made a part of this Agreement. The detailed location of the improvement is shown on the plans prepared by the Commission for the above-designated route and project.

(5) PURPOSE: It is the intent of this Agreement to outline the parties' responsibilities with respect to the construction and maintenance of those improvements to the State Highway System located within the City limits described in paragraphs (1) and (2) above and designated as Commission Job Nos. J7P2228F & J7P2228G and specifically as follows:

(A) At the conclusion of the project, the City shall continue to retain

ownership of the right of way along Route 96 (Central Street in Carthage) between Garrison Avenue and Zapletal Way. The Commission will continue to maintain the roadway surface, curb to curb, along Route 96 (Central Street in Carthage) between Garrison Avenue and Zapletal Way and highway signing as indicated in a Maintenance Agreement between the Commission and the City dated September 19, 2002.

(B) The Commission will require the contractor to salvage to the extent possible the limestone balusters on existing bridge K0428. The Commission will require the contractor to deliver the salvaged balusters to a location as designated by the City. Once delivered to the City, the balusters shall become property of the City. The City will hold harmless the Commission for the condition of the balusters. The Commission makes no warranties on the condition of the balusters or their fitness for any purpose. The City will receive the balusters in an "as-is" condition.

(6) RIGHT-OF-WAY USE: The City grants the right to use the right-of-way of public roads, streets, and alleys as necessary for construction and maintenance of said public improvement.

(7) CLOSE AND VACATE:

(A) The City shall temporarily close and vacate all streets or roads, or parts thereof, which may be necessary to permit the construction of the project in accordance with the detailed plans.

(B) The City will allow the use of the City Street, Garrison Avenue by the Commission during construction as a detour for traffic under 9 tons. The detour will be marked as Historic US 66 detour by the Commission.

(8) RIGHT-OF-WAY ACQUISITION:

(A) Upon approval of all agreements, plans and specifications by the Commission and the Federal Highway Administration (FHWA), the Commission will file copies of the plans with the city clerk of the City and the county clerk of the county and proceed to acquire at its expense, at no cost or expense to the City, any necessary right-of-way required for the construction of the improvement.

(B) The portion of state highway covered by this Agreement shall be a controlled access highway and rights of access between the highway and abutting property shall be procured and the cost classified as right-of-way cost and paid for by the Commission in the same manner as other right-of-way costs. Only such rights of ingress and egress shall be allowed as indicated on the plans approved by the Commission and FHWA.

(C) The City is the owner of the property adjacent to bridge K0428. The City shall convey the necessary right of way for the construction of new bridge #A8425 to the Commission. A copy of the Quitclaim Deed is attached as Exhibit B.

(9) UTILITY RELOCATION:

(A) The Commission and the City shall cooperate to secure the temporary or permanent removal, relocation, or adjustment of public utilities or private lines, poles, wires, conduits, and pipes located on the right-of-way of existing public ways as necessary for construction of the improvement and the cost shall be borne by such public utilities or the owners of the facilities except where the City is by existing franchise or agreement obligated to pay all or a portion of such cost, in which case the City will pay its obligated portion of the cost.

(B) The Commission shall secure the removal, relocation, or adjustment of any public or private utilities located upon private easements and shall pay any costs incurred therein.

(C) It is understood and agreed by the parties to this Agreement that no city-owned utility facilities will require relocation or adjustment in connection with this improvement, but that should utility facilities be discovered at any time during development or construction of this improvement, relocation or adjustment of the same will be done and performed under a supplemental agreement covering the subject, and in accordance with Commission policy then in effect on division of costs for adjustment of utility facilities.

(D) In cases of public utilities owned by the City which must be moved, adjusted, or altered to accommodate construction of this improvement, and such city-owned utilities, poles, wires, conduits, and pipes are located within the present city limits and located on an existing city street, not state highway right-of-way, but being taken over by the Commission as a part of its highway right-of-way, the City will perform the necessary removal, adjustment, alterations and relocation, and the Commission will reimburse the City except as otherwise provided. The City shall perform the removal, adjustment, alterations and relocation in accordance with the detail plans, estimates of costs and bills of materials prepared by the City in accordance with Federal Aid Policy Guide, Title 23 CFR Subchapter G, Part 645, Subpart A (FAPG 23 CFR 645A), dated December 9, 1991 and any revision of it, and approved by the Commission's district engineer, and shall perform all work and keep the records of the costs in accordance with FAPG 23 CFR 645A and its revisions. Upon the completion of any such work and on receipt by the Commission of the original and four copies of a bill for the actual costs incurred by the City in making any such removal, adjustment, alteration and relocation, the Commission shall reimburse the City for the actual cost necessitated by construction of this public improvement. The Commission's obligation toward the cost of any such removal, adjustment, alteration and relocation shall extend only to those costs incurred in accordance with FAPG 23 CFR 645A and its revisions.

(E) Should it be necessary to alter, relocate or adjust any city-owned utility facilities outside the present city limits on public right-of-way or on state highway right-of-way within or outside the city limits or within the right-of-way of a public way

other than a city street or alley, the alteration, relocation, or adjustment shall be made by the City at its cost.

(F) The City agrees that any installation, removal, relocation, maintenance, or repair of public or private utilities involving work within highway right-of-way included in this project shall be done only in accordance with the general rules and regulations of the Commission and after a permit for the particular work has been obtained from the Commission's district engineer or his authorized representative. Similarly, the City will allow no work on the highway right-of-way involving excavation or alteration in any manner of the highway as constructed, including but not limited to driveway connections, except in accordance with the rules and regulations of the Commission and only after a permit for the specific work has been obtained from the Commission's district engineer or his authorized representative. The City shall take whatever actions that are necessary to assure compliance with this Subsection.

(10) LIGHTING

(A) The Commission, at its cost, will install decorative lighting on new bridge #A8425 over MNA Railroad that is mutually acceptable to both the City and the Commission. After the project completion, the City shall be responsible for all costs associated with maintenance, repair and electricity of the lighting installed. The construction, installation, and maintenance of any other or further lighting system on the public improvement covered by this Agreement shall be only in accordance with the Commission's policy on highway lighting in effect, and to the extent deemed warranted by the Commission, at the time of any such installation. No lighting system shall be installed or maintained by the City on the improvement without approval of the Commission.

(B) The City shall pay the cost of electrical current for the operation of the lighting, basic intersection lighting and interchange lighting. The City shall provide and maintain power at the locations designated.

(C) The City may have the maintenance work required pursuant to this Agreement performed by either its own maintenance personnel or by contract with qualified individuals or companies approved by the Commission to provide a fully functional and dependable lighting system.

(D) The City shall respond to any emergency situation in which repair or maintenance of damage to the lighting is required immediately to correct a dangerous condition or restore the safe, unobstructed flow of traffic on the improvement.

(E) In order to coordinate maintenance activities on the improvement, the City shall notify the Commission either by telephone, telefax, or in writing, prior to performing maintenance work within Commission right of way. Such notification shall be made to the District Engineer or a designated assistant, and shall include the location and nature of the work to be performed.

(F) Any maintenance activities done by the City which involves closing one or more of the through lanes of the improvement, affects the safety of the traveling public, or which will cause permanent changes to the configuration of the improvement, may require a permit from the Commission. The City will be informed of whether or not a permit is required at the time the City notifies Commission of the proposed maintenance activities. The City shall comply with any additional condition placed upon the issuance of the permit. As part of the City's maintenance of the continuous lighting on the Bridge #A8425; the Commission, at its cost and at the request of the City, may perform traffic control consisting of a lane closure.

(G) The City shall be responsible for any utility locate request information at Bridge #A8425 concerning the cable(s) for the lighting system, including the pullbox(es) and conduit(s).

(11) TRAFFIC CONTROL DEVICES: The installation, operation and maintenance of all traffic signals, pavement markings, signs, and devices on the improvement, including those between the highway and intersecting streets shall be under the exclusive jurisdiction and at the cost of the Commission. The City shall not install, operate, or maintain any traffic signals, signs or other traffic control devices on the highway or on streets and highways at any point where they intersect this highway without approval of the Commission.

(12) DRAINAGE: The Commission will construct drainage facilities along the improvement and may use any existing storm and surface water drainage facilities now in existence in the area. The City shall be responsible for receiving and disposing of storm and surface water discharged from those drainage facilities which the Commission constructs within the limits of highway right-of-way to the extent of the City's authority and control of the storm sewer facilities or natural drainage involved.

(13) PERMITS: The Commission shall secure any necessary approvals or permits from the Surface Transportation Board, the Public Service Commission of Missouri, or any other state or federal regulating authority required to permit the construction and maintenance of the highway.

(14) COMMENCEMENT OF WORK: After acquisition of the necessary right-of-way, the Commission shall construct the highway in accordance with final detailed plans approved by the Federal Highway Administration (or as they may be changed from time to time by the Commission with the approval of the FHWA) at such time as federal and state funds are allocated to the public improvement in an amount sufficient to pay for the federal and state government's proportionate share of construction and right-of-way costs. The obligation of the Commission toward the actual construction of the public improvement shall be dependent upon the completion of plans in time to obligate federal funds for such construction, upon approval of the plans by the FHWA, upon the award by the Commission of the contract for the construction, and upon the approval of the award by the FHWA.

(15) MAINTENANCE:

(A) Except as provided in this Agreement, upon completion of the public improvement, the Commission will maintain all portions of the improvement within the Commission owned right-of-way. Maintenance by the Commission shall not in any case include maintenance or repair of sidewalks whether new or used in place, water supply lines, sanitary or storm sewers (except those storm sewers constructed by the Commission to drain the highway), city-owned utilities within the right-of-way or the removal of snow other than the machine or chemical removal from the traveled portion of the highway.

(B) When it is necessary to revise or adjust city streets, the right-of-way acquired for these adjustments and connections will be deeded to the City.

(C) The City shall inspect and maintain the sidewalks constructed by this project in a condition reasonably safe to the public and, to the extent allowed by law, shall indemnify and hold the Commission harmless from any claims arising from the construction and maintenance of said sidewalks.

(16) ACCEPTED WITHIN HIGHWAY SYSTEM: Effective upon execution of this Agreement, the Commission temporarily accepts the portion of the City street system described in this Agreement as part of the State Highway System for the purposes of this project. However, during the construction period contemplated in this Agreement:

(A) The Commission will assume no police or traffic control functions not obligatory upon Commission immediately prior to the execution of this Agreement, and

(B) The City shall perform or cause to be performed normal maintenance on the project site.

(C) The Commission will inspect the three bridges on Garrison Avenue prior to using it as a detour for the project. After completion of the project, the Commission will inspect the three bridges again. The City, at its cost, may send a representative to accompany the Commission's representative performing the bridge inspections. The Commission's representative will provide a minimum of 48 hours advance notice of the inspections to the City.

(17) CITY TO MAINTAIN: Upon completion of construction of this improvement, the City shall accept control and maintenance of the improved City street that was temporarily accepted as part of the State Highway System for the purposes of this project pursuant to paragraph (16) above and shall thereafter keep, control, and maintain the same as, and for all purposes, a part of the City street system at its own cost and expense and at no cost and expense whatsoever to the Commission. All

obligations of the Commission with respect to the City street system under this Agreement shall cease upon completion of the improvement.

(18) POLICE POWERS: It is the intent of the parties to this Agreement that the City shall retain its police powers with respect to the regulation of traffic upon the improvement contemplated. However, the City will enact, keep in force, and enforce only such ordinances relating to traffic movement and parking restrictions as may be approved by the Commission and as are not in conflict with any regulations for federal aid. The Commission shall not arbitrarily withhold approval of reasonable traffic regulations, signs, and markings which will permit the movement of traffic in accordance with accepted traffic regulation practices.

(19) RESTRICTION OF PARKING: Since the improvement is being designed and constructed to accommodate a maximum amount of traffic with a minimum amount of right-of-way, the City shall take whatever actions that are necessary to prevent parking upon the highway or any part of the area of the highway right-of-way within the limits of the improvement.

(20) OUTDOOR ADVERTISING: No billboards or other advertising signs or devices or vending or sale of merchandise will be permitted within the right-of-way limits of the project and the City shall take whatever actions that are necessary to enforce this Section.

(21) WITHHOLDING OF FUNDS: In the event that the City fails, neglects, or refuses to enact, keep in force or enforce ordinances specified or enacts ordinances contrary to the provisions in this Agreement, or in any other manner fails, neglects or refuses to perform any of the obligations assumed by it under this Agreement, the Commission may, after serving written request upon the City for compliance and the City's failure to comply, withhold the expenditure of further funds for maintenance, improvement, construction, or reconstruction of the state highway system in the City.

(22) FEDERAL HIGHWAY ADMINISTRATION: This Agreement is entered into subject to approval by the Federal Highway Administration, and is further subject to the availability of federal and state funds for this construction.

(23) INDEMNIFICATION:

(A) To the extent allowed or imposed by law, the City shall defend, indemnify and hold harmless the Commission, including its members and department employees, from any claim or liability whether based on a claim for damages to real or personal property or to a person for any matter relating to or arising out of the City's wrongful or negligent performance of its obligations under this Agreement.

(B) The City will require any contractor procured by the City to work under this Agreement:

(1) To obtain a no cost permit from the Commission's district engineer prior to working on the Commission's right-of-way, which shall be signed by an authorized contractor representative (a permit from the Commission's district engineer will not be required for work outside of the Commission's right-of-way); and

(2) To carry commercial general liability insurance and commercial automobile liability insurance from a company authorized to issue insurance in Missouri, and to name the Commission, and the Missouri Department of Transportation and its employees, as additional named insureds in amounts sufficient to cover the sovereign immunity limits for Missouri public entities (\$500,000 per claimant and \$3,000,000 per occurrence) as calculated by the Missouri Department of Insurance, Financial Institutions and Professional Registration, and published annually in the Missouri Register pursuant to Section 537.610, RSMo.

(C) In no event shall the language of this Agreement constitute or be construed as a waiver or limitation for either party's rights or defenses with regard to each party's applicable sovereign, governmental, or official immunities and protections as provided by federal and state constitution or law.

(24) AMENDMENTS: Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment approved and signed by representatives of the City and Commission, respectively, each of whom being duly authorized to execute the contract amendment on behalf of the City and Commission, respectively.

(25) COMMISSION REPRESENTATIVE: The Commission's Southwest District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(26) CITY REPRESENTATIVE: The City's Mayor is designated as the City's representative for the purpose of administering the provisions of this Agreement. The City's representative may designate by written notice other persons having the authority to act on behalf of the City in furtherance of the performance of this Agreement.

(27) NOTICES: Any notice or other communication required or permitted to be given hereunder shall be in writing and shall be deemed given three (3) days after delivery by United States mail, regular mail postage prepaid, or upon receipt by personal or facsimile delivery, addressed as follows:

(A) To the City:  
The Honorable Mike Harris, Mayor  
603 E. 3<sup>rd</sup> Street  
Carthage, MO 64836

Facsimile No: (417) 237-7005

(B) To the Commission:  
Becky Baltz, District Engineer  
3025 East Kearney Street  
P.O. Box 868  
Springfield, MO 65801

Facsimile No: (417) 895 - 7637

or to such other place as the parties may designate in accordance with this Agreement. To be valid, facsimile delivery shall be followed by delivery of the original document, or a clear and legible copy thereof, within three (3) business days of the date of facsimile transmission of that document.

(28) ASSIGNMENT: The City shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(29) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City shall comply with all local, state and federal laws and regulations relating to the performance of the contract.

(30) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(31) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(32) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(33) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

*[remainder of page intentionally left blank]*

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Executed by the Commission this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION**

**CITY OF CARTHAGE, MISSOURI**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_  
Secretary to the Commission

By: \_\_\_\_\_

Title: \_\_\_\_\_

APPROVED AS TO FORM:

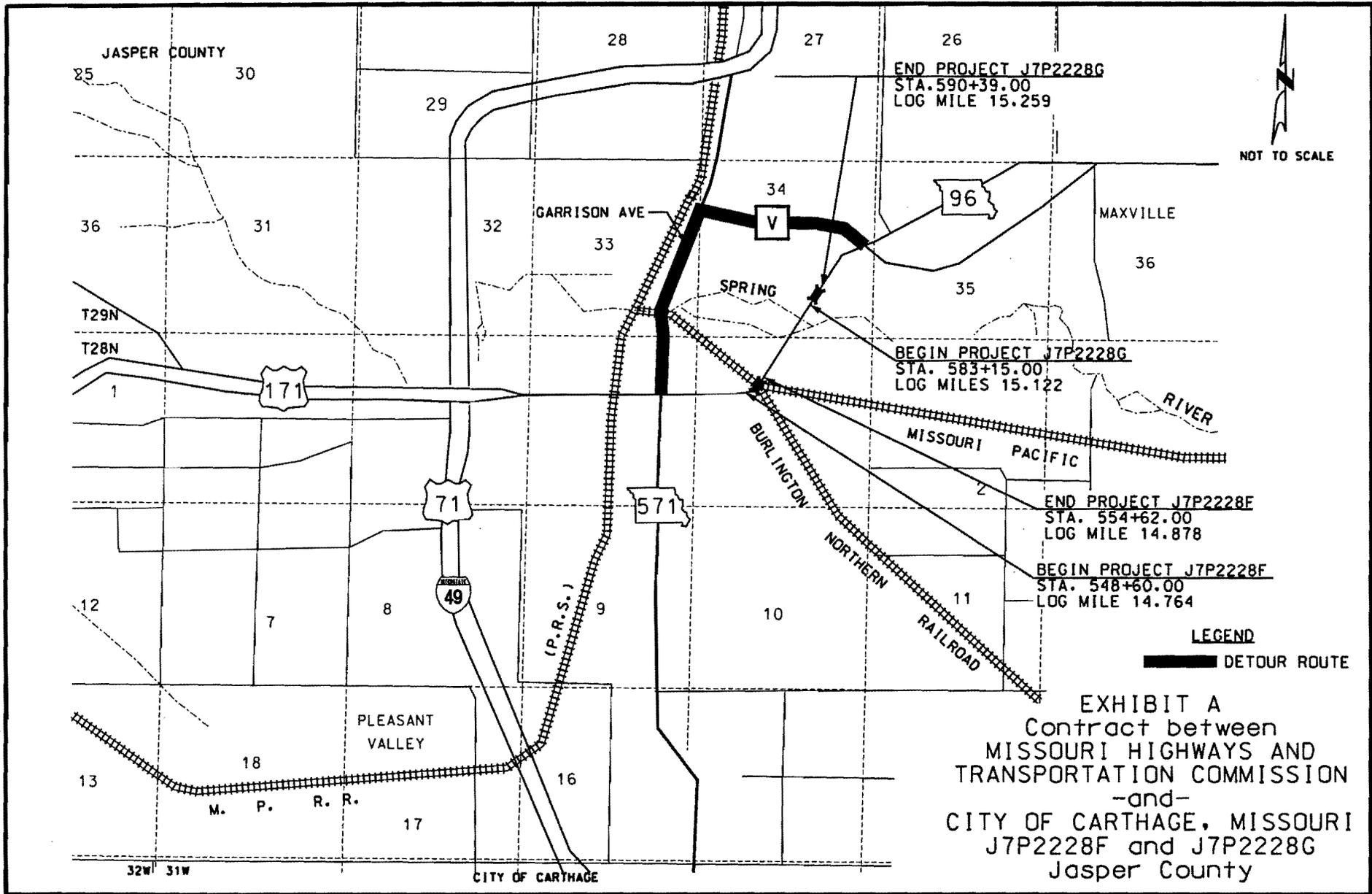
APPROVED AS TO FORM:

\_\_\_\_\_  
Commission Counsel

By: \_\_\_\_\_

Title: \_\_\_\_\_

Ordinance Number \_\_\_\_\_



**EXHIBIT B**

**Contract Between MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION and CITY OF  
CARTHAGE, MISSOURI - J7P2228F & J7P2228G - JASPER COUNTY**



**Missouri Department of Transportation**

**Southwest District  
Becky Baltz, District Engineer**

3025 East Kearney Street  
P.O. Box 868  
Springfield, Missouri 65801  
417.895.7600  
Fax: 417.895.7637  
1.888.ASK MODOT (275.6636)

Re: Acquisition Right of Way  
County: Jasper  
Route: 96 – bridge replacement  
Project: J7P2228F  
Parcel: 3

September 7, 2016

City of Carthage  
326 Grant Street  
Carthage, MO 64836

Dear Mr. Tom Short, City Administrator:

The Missouri Department of Transportation is pleased to inform you of an improvement planned for your area. Engineering drawings which describe the proposed project are attached.

We do want to inform you of your right to receive compensation for the land and/or property rights in question, as determined by an appraisal of the rights to be acquired from your property.

We are hopeful that, because of the benefits to be derived from the project, we can reach an agreement with you to donate the required land and/or property rights to accomplish the proposed construction. Should you choose to donate, we would appreciate your signing this letter, waiving your right to compensation and pro rata tax adjustment and returning it to us. To comply with regulations, we will also need your signature later on a formal conveyance document.

An acquisition brochure is furnished with this letter. Its purpose is to explain the process which must be followed to acquire right of way.

We look forward to the completion of this improvement project and appreciate your cooperation.

Respectfully,

Missouri Department of Transportation by: [Signature]  
Randy Coffey, SW District Right of Way

**ACCEPTED BY PROPERTY OWNER**

[Signature]  
Representative for the City of Carthage

9-19-16  
Date

Mayor  
Title



*Our mission is to provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri.*

www.modot.org

Missouri Highways Transportation Commission

Legal Description

Exhibit A

County Jasper	Route 96	Project Number J7P2228F	Date Prepared 7/19/16	
Legal description contained on pages		2	of 2	
Print Name Travis Thiemann		MO PLS Number 2008000731		
Signature <i>Travis Thiemann</i>		Date 7/19/16		
		Missouri Highways and Transportation Commission 105 West Capital, Jefferson City, MO 65102 888-ASK MODOT (888)275-6636		Only the following legal descriptions contained in this "EXHIBIT A" are authenticated by this seal:

### Tract 3

Tracts of land being part of the platted East Mound Street and Willow Street of the North Carthage Addition to the City of Carthage, Northwest Quarter of Section 3, Township 28 North, Range 31 West, Jasper County Missouri, and lying on both sides of the hereinafter described centerline of a highway, now known as Route 96 to wit:

Beginning at a set iron pin at the intersection of the existing Westerly boundary line of Route 96 and the existing Northerly boundary line of the Missouri & Northern Arkansas Railroad 80.00 feet left of Route 96 centerline station 552+52.56; thence along said Railroad boundary line on a non-tangent curve to the left, said curve having a radius of 1981.52 feet, (chord bears N 44°42'17" W, 10.29 feet), an arc distance of 10.29 feet to a set iron pin 90.00 feet left of Route 96 centerline station 552+55.00; thence leaving said existing railroad boundary N 31°34'37" E, a distance of 11.63 feet to a point 90.00 feet left of Route 96 centerline station 552+66.63; thence S 88°46'20" E, a distance of 11.59 feet to a point on the existing Westerly boundary line of Route 96, 80.00 feet left of Route 96 centerline station 552+72.48; thence, along said existing boundary line, S 31°34'37" W, a distance of 19.92 feet to the point of beginning.

Also,

Beginning at a set iron pin at the intersection of the existing Easterly boundary line of Route 96 and the southerly boundary line of platted East Mound Street, 74.81 feet right of Route 96 centerline station 552+93.60; thence along said existing Route 96 boundary line, N 32°27'40" E, a distance of 6.43 feet to an existing concrete boundary marker, 74.91 feet right of Route 96 centerline station 553+00.03; thence continuing along said existing boundary line N 31°39'33" E, a distance of 63.20 feet to a set iron pin 75.00 feet right of Route 96 centerline station 553+63.23; thence continuing along said boundary line S 88°46'34" E, a distance of 28.97 feet to a set iron pin 100.00 feet right of Route 96 centerline station 553+77.87; thence leaving said existing boundary line S 31°34'37" W, a distance of 69.53 feet to a set iron pin on the southerly boundary line of platted East Mound Street, 100.00 feet right of Route 96 centerline station 553+08.34; thence along said southerly boundary line N 88°45'26" W, a distance of 29.19 feet to the point of beginning.

The above described tracts contain 0.046 acres (2001 sq. ft.) more or less.

#### Route 96 Centerline:

Commencing at an existing concrete boundary marker at the Southwest corner of Lot 545 of the North Carthage Addition to the City of Carthage, Northwest Quarter of Section 3, Township 28 North, Range 31 West; thence on a Missouri Western Zone grid bearing of N 59°46'18" E, a distance of 121.92 feet to Route 96 centerline station 548+60.00 for the point of beginning; thence along said centerline N 31°34'37" E, a distance of 602.00 feet to Route 96 centerline station 554+62.00 for the point of centerline termination, said point being N 19°06'07" E, a distance of 612.70 feet from an existing concrete boundary marker at the Southwest corner of Lot 546 of the North Carthage Addition to the City of Carthage.

This conveyance includes all the realty and realty rights described in the preceding paragraphs that lie within the limits of platted East Mound Street and Willow Street as shown on the plat recorded with the Jasper county recorder in Book A at page 69.



CCO FORM: RW02  
Approved: 6/93 (TLP)  
Revised: 12/15 (AR)  
Modified:

COUNTY: Jasper  
ROUTE: 96  
PROJECT: J7P2228F  
FED. PROJECT: \_\_\_\_\_  
PARCEL: 3

**QUITCLAIM DEED**

THIS INDENTURE, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, between **The City of Carthage** of the County of Jasper, State of Missouri, (hereinafter, "Grantor"), and the **STATE OF MISSOURI**, acting by and through the **MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION**, (hereinafter, "Grantee").

Grantor(s)' Address: 326 Grant Street, Carthage, MO 64836

Grantee's Address: 3025 East Kearney, Springfield, MO 65803

**WITNESSETH:**

The said Grantor, in consideration of the sum of One and no/100 DOLLARS (\$1.00), to it paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents remise, release, and forever QUITCLAIM unto said Grantee, its successors and assigns, the real estate and interests in real estate in the County of Jasper, State of Missouri, and described as follows:

A tract of land located in the Northwest Quarter of Section 3, Township 28 North, Range 31 West; more particularly described in Exhibit A.

TO HAVE AND TO HOLD THE SAME, with all and singular rights, Immunities, privileges, and appurtenances thereunto belonging, unto the said Grantee, its heirs, successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first written above.

By: J. Michael Harris

Print name and title: J. MICHAEL HARRIS MAYOR



An Ordinance amending the Annual Operating and Capital Budget of the City of Carthage for the fiscal year 2016 - 2017.

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

**SECTION I:** The City of Carthage's 2016 - 2017 Annual Operating and Capital Budget for the **General Fund**, is hereby amended to reflect supplemental appropriations of:

- Up to \$26,050 to the **Salaries** line item of the **Police Department** to make the Part Time Clerk's position a full time position from the unallocated and undesignated General Fund fund balance;
- Up to \$3,000 to the **Fireworks Matching** line item of the **CMA Department** from \$3,000 supplemental revenues from the Chamber of Commerce for the Maple Leaf fireworks display;

**SECTION II:** The City of Carthage's 2016 - 2017 Annual Operating and Capital Budget for the **Capital Improvements Sales Tax Fund**, is hereby amended to reflect a supplemental appropriation of up to \$25,000 to the **Sidewalk Repair Incentive** line item for a **Sidewalk Incentive Program** from the unallocated and undesignated fund balance.

**SECTION III:** The City of Carthage's 2016 - 2017 Annual Operating and Capital Budget for the **Parks/Stormwater Sales Tax Fund**, is hereby amended to reflect a supplemental appropriation to the **Capital Outlay** line item for carry-over projects of up to \$35,000 for Fitness Park at Fair Acres from the unallocated and undesignated fund balance.

**SECTION IV:** The City of Carthage's 2016 - 2017 Annual Operating and Capital Budget for the **Public Safety Grant Fund**, is hereby amended to reflect a supplemental appropriation of up to \$3,000 to the **General Tools & Supplies** line item from supplemental Donations to the Fire Department of \$3,000.

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

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_,  
2016.

ATTEST:

\_\_\_\_\_  
J. Michael Harris, Mayor

\_\_\_\_\_  
Traci Cox, City Clerk

***NEW  
BUSINESS***

***MAYOR'S  
APPOINTMENTS***

# ***RESOLUTIONS***

RESOLUTION NO. 1787

**A RESOLUTION EXPRESSING SUPPORT OF THE CITY OF CARTHAGE'S APPLICATION FOR FUNDS THROUGH MoDOT'S TRANSPORTATION ALTERNATIVES (TAP) PROGRAM AND AUTHORIZING THE SUBMISSION OF AN APPLICATION RELATING TO THE PROPOSED LONG RANGE CITYWIDE SIDEWALKS IMPROVEMENTS PROJECT, PHASE III**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARTHAGE, MISSOURI AS FOLLOWS:**

**Section 1:** At a regular meeting of the City Council held on October 25, 2016, the Board endorsed the submittal of the Transportation Alternatives Program Application for the proposed Long Range Citywide Sidewalk Improvements Project, Phase III.

**Section 2:** The Board further acknowledges the TAP proceeds could include 80% of the project costs, and the City of Carthage would be responsible for any remaining costs.

**Passed and approved by the Council of the City of Carthage, Missouri on this 25th day of October, 2016.**

(SEAL)

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

CERTIFICATE

I, the undersigned City Clerk of the City of Carthage hereby certify that the above foregoing is a true and correct copy of the Resolution Expressing Support of The City of Carthage's Application for Funds Through MoDOT's Transportation Alternatives Program and Authoring the Submission of an Application Relating to the proposed Long Range Citywide Sidewalk Improvements Project, Phase III, as the same appears of record in my office and as it was adopted and approved by the Councilmen of the City of Carthage, Missouri.

Said Resolution has not been altered, amended or repealed as of this 25th day of October, 2016.

(SEAL)

\_\_\_\_\_  
City Clerk

RESOLUTION NO. 1788

**A RESOLUTION PROVIDING FOR THE FORMAL ACCEPTANCE OF A DONATION BY THE CITY COUNCIL OF THE CITY OF CARTHAGE, MISSOURI PURSUANT TO CITY POLICY.**

**WHEREAS**, periodically, private individuals and agencies would like to make donations and grants to the City of Carthage for general or specific purposes; and

**WHEREAS**, the City has adopted a policy to formalize the conditions and procedures to be followed by the City in accepting said donations and grants, and to assist the City Council in evaluating the impact of proposed donations and grants on the resources of the City of Carthage; and

**WHEREAS**, This policy also establishes guidelines that ensure donations occur at arm's length from any City decision-making process, and provide criteria and process for the acceptance of donations; and

**WHEREAS**, The City Administrator has prepared and submitted a report evaluating the impact of the proposed donations or grants on the resources of the City.

**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 accepts a donation from N&J Real Properties LLC, of property consisting of the West fifty feet of Lot 5 SouthWind Acres, to the City of Carthage for the Fire Substation project.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**J. Michael Harris, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Traci Cox, City Clerk**

Sponsored by: Public Safety Committee

## **CITY ADMINISTRATOR DONATION REPORT:**

The City Administrator shall prepare a report evaluating the impact of all proposed donations or grants on the resources of the City. This report must include both the immediate costs of placing said donation into service or program into action and the costs required to maintain or continue the program in future budget years. Such costs may include analysis of annual personnel, repair and maintenance and equipment expenditures and any future capital improvements required by the donation. The report must be submitted to Council at the same time acceptance of the donation or grant is to be considered. If additional operating costs are associated with the acceptance of the donation, the Council shall identify the source of revenues to defray the additional costs at the time of acceptance.

**This right-of-way donation will reduce the overall costs of limited access to the Fire Station #2 property site, as well as infrastructure costs for the overall project. Normal on-going maintenance costs for the property will be part of the regular operating budgets of the City.**

**RESOLUTION NO. 1789**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARTHAGE APPROVING A STAFF RECOMMENDATION GRANTING AN ADMINISTRATIVE LOT SPLIT FOR PROPERTY LOCATED AT SOUTH SIDE OF ELK STREET EAST OF GRAND AVE, CARTHAGE, MISSOURI.**

**WHEREAS**, Article II Section 22 of the Code of Carthage provides for the approval of plats for subdivisions in the City of Carthage; and

**WHEREAS**, Section 22-21 provides for exemptions from the full provisions of the article with approval by the Mayor and City Council; and

**WHEREAS**, city staff reviewed the application and the proposed land split map for completeness and accuracy; and

**WHEREAS**, staff presented its recommendation to the Public Works Committee at its regularly scheduled meeting of October 18, 2016 for action and recommendation to the City Council; and

**WHEREAS**, on October 18, 2016 the Public Works Committee considered and discussed the staff recommendation and voted unanimously in favor of recommending said administrative lot split to the City Council.

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

That pursuant to Section 22-21 of the Code of Carthage, the administrative lot split located at the South side of Elk Street East of Grand Ave, Carthage, Missouri as recommended by staff is hereby approved as submitted (attached).

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

---

**J. Michael Harris, Mayor**

**ATTEST:**

---

**Traci Cox, City Clerk**  
*(sponsored by Public Works Committee)*

***MINUTES***  
***STANDING***  
***COMMITTEES***

BUDGET WAYS & MEANS COMMITTEE  
MONDAY, OCTOBER 10, 2016 6:00 P.M.  
CITY HALL COUNCIL CHAMBERS

**MEMBERS PRESENT:** Jim Swatsenborg, Larry Q. Chapin, Dan Rife.

**OTHERS PRESENT:** Mayor J. Michael Harris, City Administrator Tom Short, and Finance Officer Maria Gutierrez-Fisher.

Chairman Swatsenborg called the meeting to order at 6:00 P.M. **\*NOTE:** All areas *“italic”* below were submitted to the Committee in a pre-meeting memo by Mr. Short.

**OLD BUSINESS:**

**Consideration and approval of minutes from previous meeting.** Mr. Chapin made a motion to approve the minutes of the July 11, 2016 meeting. Motion approved 3-0.

**NEW BUSINESS:**

**Consider and discuss FY 2017 First Quarter Report.**

*“Included are spreadsheets on the first quarter’s unaudited budget reports for fiscal 2017. These include detailed information for the General, Public Health, and Golf Funds. We want to keep up on any potential problems or concerns regarding the economic condition of the City’s budget in order to make any necessary adjustments in a timely manner in case reviews reveal serious problems in order to preserve services levels. We will review and discuss these at the meeting.”*

Mr. Short discussed each fund in detail. Revenues for the General Fund were slightly lower than in year’s past; however, this is fairly typical, and no concerns are noted. Only 23% of expenditures have been spent, and no major concerns were noted

**Consider and discuss amendments to the FY 2017 Annual Operating and Capital Budget for the City of Carthage.**

*“Included is a proposed Council Bill amending the budget for this fiscal year. The first change is to the Part-time (evidence) Clerk’s position in the Police Department. With the changes to the IT staff, it has been determined that the part-time position be upgraded to full-time due to the demands of the position. The second change is a pass through for the fireworks for the Maple Leaf celebration from the Chamber of Commerce. The third is appropriating funds for the Sidewalk Incentive discuss and approved at the last Council meeting. The next change is a carry-over project from last year and the last one, appropriating a donation to the Fire Depart previously approved by the Council.”*

Mr. Short discussed the proposed changes in the Police Department’s salary budget. This includes the change in classification from a 5-1 to a 6-6 for the IT position, and the change from part time to full time status of the Police Evidence Clerk position. Other items on the amendment were discussed in detail. Mr. Chapin made a motion to send the proposed amendment to the full Council as presented. Motion carried 3-0.

### **Staff Reports**

**Mr. Short** reviewed the Sales Tax Report in further detail. Revenues for October 2016 were lower by 4.7% than the previous year's October, and year to date about 3.5% lower from the same time last year. At this time there are no major concerns.

**Mr. Short** announced the possibility of a new amendment that will be discussed during closed session at the Council meeting.

**Mr. Short** discussed working with CWEP for the City's computer services.

**Mr. Short** announced election deadlines for use tax.

**Mr. Swatsenbarg** noted his attendance at MML, specifically, a "Priority Based Budgeting" presentation.

**Mrs. Gutierrez-Fisher** reported findings from the audit. Some adjusting journal entries were necessary; however, all were considered normal. The final audit report is expected sometime in December 2016. Reserves are healthy and reported at 75%.

### **Other Business**

**ADJOURNMENT:** The meeting adjourned at 6:51PM on motion by Mr. Chapin. Motion carried 3-0.

Respectfully Submitted  
Maria Gutierrez-Fisher  
Finance Officer

**COMMITTEE ON INSURANCE/AUDIT AND CLAIMS  
TUESDAY OCTOBER 11, 2016  
CITY HALL COUNCIL CHAMBERS**

**COMMITTEE MEMBERS PRESENT:** Jason Shelfer, Mike Daugherty, Tim Shields, and Dan Collier.

**OTHER COUNCIL MEMBERS:**

**OTHERS PRESENT:** Finance Officer Maria Gutierrez-Fisher, Mayor J. Michael Harris, Police Chief Greg Dagnan, City Administrator Tom Short, and City Clerk Traci Cox

Chairman Jason Shelfer called the meeting to order at 4:45 P.M.

**OLD BUSINESS:**

**Approval of minutes from previous meeting:** On a motion by Mr. Daugherty, the minutes of the September 27, 2016 meeting were approved 4-0.

**Review and approval of the Claims Report:** The Committee discussed items regarding the Claims Report before it was approved 4-0 on a motion by Mr. Daugherty.

**NEW BUSINESS:**

**Consider and discuss the reclassification of a City employee**

Mr. Short discussed the reclassification of the IT position from a grade of 5-1 to 6-6. Mr. Collier made a motion to approve the reclassification of the City IT position as presented. Motion carried 4-0.

**Staff Reports:**

**Mrs. Gutierrez-Fisher** reported findings from the audit. Some adjusting journal entries were necessary; however, all were considered normal. The final audit report is expected sometime in December 2016. Reserves are healthy and reported at 75%.

**Mr. Short** reported an approval by the Budget Committee to change the part time status to full time status for the Evidence Clerk position at the Police Department. This was done in conjunction with the proposed changes to the IT position.

**Ms. Cox** reported the consolidation of the Accounts Payable and Payroll Clerk position, and an Accounts Receivable Clerk was hired with a start date of October 24<sup>th</sup>.

**Other Reports:** None

**ADJOURNMENT:** Mr. Daugherty made a motion to adjourn at 4:59 PM. Motion carried 4-0.

Maria Gutierrez-Fisher  
Finance Officer

---

# City of Carthage



## Public Safety Committee – Minutes

**Meeting Date:** October 17, 2016                      **Meeting Location:** Carthage Fire Department  
**Call to Order:** Chairman Rife                      **Time Called to Order:** 5:30 pm

**Attendance:**

Chairman Rife	x	Mayor Harris	x	Carthage Press	x
Councilman Daugherty	x	Administrator Short	<input type="checkbox"/>	Joplin Globe	<input type="checkbox"/>
Councilman Collier	x	Chief Dagnan	x	Morning Mail	<input type="checkbox"/>
Councilman Chapin	x	Chief Williams	x		

**Citizen/Other:**

- Morgan Housh – Carthage Fire Department
- Brandon Lewis – Carthage Citizen
- Brady Beckham – Council Member
- Mark Sponaugle – Carthage Citizen
- Attached sheet of all citizens attending

### Approval of Minutes:

Correction of Minutes: Motion to accept the minutes of previous meeting as written. Motion made by Councilman Chapin. Motion PASSED

### Citizen Participation Period:

**Citizen (Name/Affiliation/Address):** Mark Sponaugle

**Topic of Concern:** Christmas Parade

**Brief Synopsis of Concern:** The 44<sup>th</sup> annual Carthage Christmas parade, “Lights Camera, Action, Christmas”, will be held on December 5, 2016 at 7:00pm. As in years past the parade originates at the corner of Chestnut and Main, proceeds North on Main, circling the Square, then back South on Grant, ending at Chestnut and Grant. It is approximately a mile long.

Motion made by Councilman Chapin to approve the Christmas Parade same as past years.

Motion Passed.

***Persons with disabilities who need special assistance – please contact the  
Fire Department at 417-237-7100, or the Police Department at 417-237-7200***

Citizen (Name/Affiliation/Address): Brady Beckham

Topic of Concern: CMC Run Through the Lights

Brief Synopsis of Concern: Runners will be running through the CMC lights on December 15, 2016 at 6:30pm. Runners would be starting at the Church of Nazarene just to the south of the CMC, cross the street and run through the CMC lights, and some runners will continue on to the square and back making it a 5K run. Beckham would like a patrol car to block traffic while the runners cross Fairview for traffic control.

Motion was made by Councilman Chapin to approve the run through the lights as presented. PASSED

Citizen (Name/Affiliation/Address): Brandon Lewis

Topic of Concern: UTV ordinance

Brief Synopsis of Concern: Brandon Lewis presented several documents to the committee. Several other people were in attendance who were concerned about the ordinance. Mr. Lewis proposed that the city abandon the current proposed ordinance and create another ordinance that would allow UTV type vehicles on City Streets, or as a second option allow a permitting process for UTV to be legal on city streets. The Missouri Revised Statutes Section 304 was then discussed. The main point that Mr. Lewis pointed out concerning the current state law on UTVs (304.033.1) was:

(3) Recreational off-highway vehicles operated within three miles of the operator's primary residence. The provisions of this subdivision shall not authorize the operation of a recreational off-highway vehicle in a municipality unless such operation is authorized by such municipality as provided for in subdivision (5) of this subsection;

(5) Governing bodies of cities may issue special permits to licensed drivers for special uses of recreational off-highway vehicles on highways within the city limits. Fees of fifteen dollars may be collected and retained by cities for such permits.

The full copy of the Missouri Revised Statutes is attached.

Councilman Daugherty questioned the liability issues of the UTVs on the roads. Mr. Lewis explained that drivers would be willing to obey any rules of the road and carry insurance, same as they do other legal vehicles.

After a lengthy discussion with the committee, Chief Dagnan made a few points regarding the use of the UTVs on the streets.

1. These vehicles have been illegal on the city streets since 2012. If the city takes no action to update the ordinance it will still be illegal to operate these vehicles on city streets.
2. Right now, any enforcement action concerning UTVs must be taken through the state since our ordinance does not comply with state law. It is desirable that traffic charges stay in the Carthage City Court so that the outcomes are within control of our city attorney and city judge and that officers do not have to add another court date to their already busy schedule by having to attend state court.
3. The state law does allow a "special use permit" to be given to UTV users. Chief Dagnan interprets this just as it is written, a permit for a one-time event or "special circumstance", not permission to drive UTVs on City Streets for daily use.
4. If the council chooses to allow them in the city, it is still illegal for them to drive to get to the city limits by using them on county roads or state highways unless they are within three miles of their farm, using them for farm use.

No motion is needed this will remain tabled until the next council meeting when it was to come off the table and be voted on by the council.

***Persons with disabilities who need special assistance – please contact the Fire Department at 417-237-7100, or the Police Department at 417-237-7200***

**Fire Department Business:**

Agenda Item: Miscellaneous

**Brief Synopsis of Discussion:**

1. Carthage Fire Department assisted in the blocking of streets and safety at the shooting off of fireworks for the 50<sup>th</sup> Anniversary of the Maple Leaf on Friday October 14, 2016 in Central Park. The event went good.
2. Carthage Fire Department held their annual Maple Leaf Pancake Feed on October 15, 2016. There were around 1,050 people served with the bulk of the business between the hours of 6:00am and 8:00am.

**Councilman Chapin made a motion to move to closed session. Motion PASSED**

**Next Meeting Date:** November 21, 2016

**Next Meeting Location:** Carthage Police Department

**Adjournment**

Councilman Daugherty motioned to move out of closed session and adjourn. Motion PASSED

***Persons with disabilities who need special assistance – please contact the Fire Department at 417-237-7100, or the Police Department at 417-237-7200***

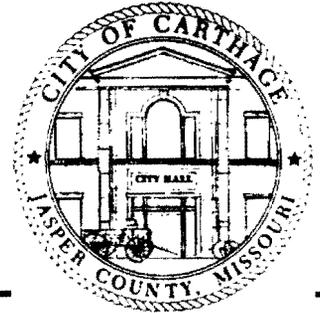
# PUBLIC WORKS COMMITTEE

---

Public Works Department 623 E 7<sup>th</sup> Carthage MO 64836  
Tele: (417) 237-7010 Fax: (417) 237-7011

*"America's Maple Leaf City"*

---



## 10-18-16 PUBLIC WORKS COMMITTEE MEETING MINUTES

Committee Members present: Jason Shelfer, Brady Beckham, Jim Swatsenbarg,

Staff Members present: Zeb Carney, Public Works Director; Marcia Weng, Public Works Secretary, and Tom Short, City Administrator

Guests present: John Bolte, Small Arrow Engineering

October 18, 2016 Public Works Committee meeting called to order at 5:30 p.m. by Chairman, Mr. Shelfer.

A motion was made by Jim Swatsenbarg to accept the minutes from the October 4th meeting. All ayes. Motion carried.

Citizen Participation: None.

Old Business: None

New Business: Mr. John Bolte of Small Arrow Engineering presented plans for a lot split to be used for a rental housing development. It will be behind US Bank off of Elk Street and contain 44 units. Rick Benson Construction will be the contractor on the project. After discussion, Jim Swatsenbarg made a motion to accept the proposed lot split. All ayes, motion carried.

Other Business: Next on the agenda was the Resolution for the Sidewalk Improvement Project. This will be Phase III and will include the Tap Grant funding. It will begin at E Airport Drive and River (at the High School) and run West to Grand Ave, then South to George E Phelps Blvd, then back East to River Street. It is an estimated \$800,000.00 project. Brady Beckham made a motion to accept the proposal. All ayes, motion carried.

Staff Reports:

Public Works Director Zeb Carney reported on the following:

- Region M, has made a request to host a county wide e-waste collection event on the 12<sup>th</sup> of November at the recycle center. They will be collecting e-waste from 9:00 to 11:00, tentatively.
- The sidewalk project on Pearl Street is nearing completion. They are hydro-seeding now.
- They are backfilling on River Street and will soon begin hydro-seeding.
- We reduced the weight limit on the McGregor Street Bridge from 9 Ton to 3 Ton. The bridge is in terrible shape.
- We had Mallory Canvas replace the old awning on the Public Works building.

- 611 Howard is on the ground. It should be finished up tomorrow.
- We should be able to start the process on the Sidewalk Initiative soon. Julie has been working a new application for the Sidewalk process. We plan on having packets for the customers wishing to replace their sidewalks with information as far as requirements, restrictions, etc.
- Tom will be sending paperwork for an emergency purchase to the mayor for a new stop light at Oak & Garrison. The old one went out on Friday and is obsolete.
- They have almost completed the storm water ditch out at Municipal Park.

Tom Short reported on the following:

There will be a meeting with MODOT, Laurel McKeen, to discuss the ADA work on the sidewalks from the Route 96 bridge to the light at Garrison.

Committee Members Report: None.

Brady Beckham made a motion to adjourn at 7:15 p.m. All ayes. Motion carries.

***MINUTES***  
***SPECIAL***  
***COMMITTEES***  
***AND BOARDS***

# Carthage Chamber of Commerce Board of Directors

Thursday, October 20, 2016 at 7:30 a.m.

Members present:

Susan Wendleton  
Steve Willis  
Brian Schmidt  
Kenney Arnold  
Paul Eckels  
Robert Goar  
Dr. Jon Haffner  
Tina Hallmark  
Roy Mason  
Dr. Sean Smith

Members absent:

Rodney Hinds  
Ryan Brunnert

Liaisons/ex-officios

present:  
Jim Benton, liaison  
Jason Shelfer, liaison

Liaisons/ex-officios

absent:  
Wendi Douglas, liaison  
Jim Honey, liaison  
Chuck Bryant, ex-officio  
Tom Short, ex-officio

Staff present:

Mark Elliff  
Mary Jo Little  
Neely Myers

Quorum being present, Board Chair Wendleton called the meeting to order at 7:30 a.m.

September minutes were presented for review. There being no corrections, Willis moved to approve the minutes, Mason seconded the motion, and the motion carried unanimously.

Financial reports for September were presented for review. Elliff noted that the Balance Sheet showed a negative Checking balance, reflecting a night deposit made outside of bank hours. Profit & Loss for the previous month showed income well ahead of budget attributable to Maple Leaf income and expenses slightly lower than budget, resulting in nearly four times higher than budgeted net income for the year.

Chairman's Input: Wendleton thanked staff and all the volunteers for their efforts on a very successful Festival and recognized the many industrial partners' parade floats. She added her appreciation to those involved with Manufacturing Day.

Membership Report: Myers reported 2 new members and 7 dropped members in September for a net annual loss of \$1097. September 30 membership was 410, an increase of 7 and net gain of \$1870 from the previous year.

Ambassadors: Myers reported that members had gone through in the Chamber 101 presentation at their most recent meeting and had hosted six ribbon cuttings and a quarterly luncheon since their last meeting. She thanked those Ambassadors who had helped staff the information booth on Festival Saturday.

Banquet: Goar reported that the committee would resume meeting on November 9. Little added that sponsorships were available for the military-themed event and that Mythos would be catering.

Emerging Leaders: Hallmark reminded members of plans for a second offering of Motive Matters in November and a "People You Need to Know" with Karl Glassman in December. Little added the November 2 date of the group's next strategic planning meeting.

Golf: Schmidt reported that the rescheduled September 30 event had 21 teams, the most in many years, but shared a suggestion to move the meal back to a lunch rather than a dinner. Little added that the date change conflicted with several Maple Leaf deadlines and thanked student worker Sadie Freeman for her assistance in the office several times during September and October.

Maple Leaf: Wendleton reported that community feedback had been very positive. Board members present praised the special events as successful. Mason reported that 500 Festival shirts had been sold, nearly double the previous year. Little added that history book ads and orders were due by November 1 and that a wrap-up meeting was planned for November 3. Elliff added kudos to the high school band director for her efforts and reported 28 bands in the parade.

Marketing /Expo: Mason reported that the 2017 directory was in the works and would be available by January 1. He added that Small Business Saturday would be November 26, that 30 of 66 Expo booths were sold, and that Expo sponsorships were still available.

Public Policy: Wendleton reported that the group had not met since the last board meeting.

Vision Carthage: Myers reported that the committee had received a grant from Carthage Community Foundation to further restoration efforts along Grant Street and would be pursuing grant funds for benches and trash receptacles on the square.

Nominating: Willis reported that the election would be filling four seats for 2017, with three current members (Hallmark, Schmidt, and himself) pursuing second terms and Elizabeth Simmons of the McCune-Brooks Healthcare Foundation pursuing the seat vacated by Ryan Brunnert.

There being no old or new business, Elliff directed board members to his September activity report, but there were no questions or comments. He added that the Chamber would be lending its support to "Restore America's Parks" in support of improved funding of national parks and specifically Chamber member George Washington Carver Birthplace. He reported that he'll be testifying on behalf of MBL Development to Missouri Economic Development Council in November regarding their purchase of property in Myers Park. He asked members to be watching for more details on the 2017 Strategic Planning session. He updated members on ongoing projects at Grand & Fir, Oak & Baker, and Fir & Hazel, as well as reported that over 200 students and visitors participated in Manufacturing Day. Smith updated members on the R-9 stadium construction, on track for completion July 2017.

Benton reported that the Ministerial Alliance would be holding a prayer gathering the day before the November election, to which the public would be invited, on Monday 11/7 at the First Baptist Church at 7 p.m.

Shelfer reported that the City was monitoring the Highway 96 bridge project and reviewing their purchasing policy wording in comparison to the Federal Transit Authority.

There being no other liaisons and no ex-officios in attendance and no further business, Schmidt moved to adjourn at 8:15 a.m., Hallmark seconded the motion, and the motion carried unanimously.

Upcoming events:

1. 10/21 .. Billy Long roundtable, 11:15 a.m.
2. 11/2 .... Emerging Leaders strategic planning, 3:30 p.m.
3. 11/3 .... Maple Leaf wrap-up meeting, 3 p.m.
4. 11/7-11/8....Auditors onsite
5. 11/9 .... Station Four 30 One ribbon cutting, 9 a.m.
6. 11/10 .. Business After Hours at Repurpose Boutique, 5-6:30 p.m.
7. 11/15-11/16...Emerging Leaders Motive Matters training, 8 a.m.-1 p.m. both days
8. 12/2 .... Friday Coffee at Four State Office Products (Joplin), 7:30-8:30 a.m.
9. 12/5 .... Mayor's Tree Lighting & Carthage Christmas Parade, 6 p.m.
10. 12/6 .... Emerging Leaders luncheon with Karl Glassman, 11:30 a.m.-1 p.m.
11. 12/9 .... Banquet Sponsor deadline, 4 p.m.

**The next meeting of the board is scheduled for Thursday, November 17 at 7:30 a.m. at the Chamber.**

*Minutes prepared by Mary Jo Little.*

***AGENDAS  
STANDING  
COMMITTEES***

---

# **City of Carthage**



## **Public Safety Committee – Agenda**

Monday – October 17, 2016

5:30 p.m. at the Carthage Fire Department

### **Citizen Participation**

1. UTV ordinance
2. Brady Beckham – Run Through the Lights
3. Mark Sponaugle – Christmas Parade

### **Fire Department**

1. Miscellaneous

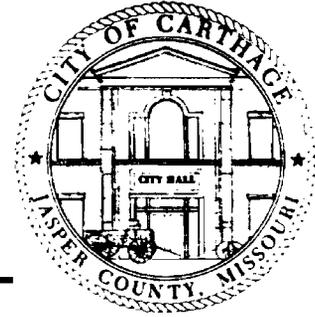
**Closed Session** – Consider and discuss a vote to close part of the meeting to discuss leasing, purchase or sale of real estate pursuant to Section 610.021 (2) of the Missouri Revised Statutes.

*Persons with disabilities who need special assistance – please contact the  
Fire Department at 417-237-7100, or the Police Department at 417-237-7200*

# PUBLIC WORKS COMMITTEE

Public Works Department 623 E 7<sup>th</sup> Carthage MO 64836  
Tele: (417) 237-7010 Fax: (417) 237-7011

*"America's Maple Leaf City"*



---

## AGENDA

October 18, 2016 - 5:30 P.M.  
PUBLIC WORKS COMMITTEE

1. Consideration of minutes from previous meeting
2. Citizen participation
3. Old Business
  - a.) None.
4. New Business
  - a.) Consider and discuss Lot Split on Elk Street
5. Other Business
  - a.) Consider and discuss Resolution for Sidewalk Improvements Project
6. Reports from Staff
  - Director of Public Works – Zeb Carney
  - City Administrator – Tom Short
7. Reports from Committee Members

Meeting is normally held the first and third Tuesday of each month.  
Public Works Department, 623 E. 7<sup>th</sup> Street

***Persons with disabilities who need special assistance - Call 417-237-7010 (voice)  
Or 1-800-735-2466 (TDD via Relay Missouri) at least 48 hours prior to meeting date.***

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS

October 25, 2016

4:45 PM

Carthage City Hall

Agenda

Old Business

1. Consider and Approval of Minutes from Previous Meeting
2. Review and Approval of the Claims Report

New Business

1. Staff Reports
2. Other Business

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 \_\_\_\_\_

***AGENDAS  
SPECIAL  
COMMITTEES  
AND BOARDS***

**John Bartosh**  
*Presiding Commissioner*

# JASPER COUNTY COMMISSION

302 S. Main ST  
Carthage, MO 64836

**Jim Honey**  
*Eastern District Commissioner*

Carthage: 417-358-0421  
Joplin: 417-625-4350

**Darrius K. Adams**  
*Western District Commissioner*

Toll Free: 800-404-0421  
Fax: 417+358-0483



COMMISSION AGENDA  
OCTOBER 11, 2016  
9:00 A.M.  
JASPER COUNTY COURTHOUSE ROOM 101

1. CALL TO ORDER
  - PLEDGE OF ALLEGIANCE
  - PRAYER
2. ROLL CALL
3. APPROVAL OF MINUTES
4. PRESENTATIONS
5. REPORTS AND COMMUNICATIONS
6. ELECTED OFFICIALS/CITIZENS REQUESTS
  - ◊ **Surplus Property for the Court System**
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
  - ◊ **Award Bid for County Auditing Services**
  - ◊ **Appointments to the Jasper County Mental Health Fund Board of Trustees**
  - ◊ **Discuss TIF Agreement with the City of Joplin**
10. PUBLIC HEARINGS

PUBLIC PARTICIPATION FROM AUDIENCE WHEN ADDRESSED YOU WILL BE ALLOWED THREE MINUTES TO SPEAK.

ELECTED OFFICIALS/CITIZENS WISHING TO BE HEARD UNDER ELECTED OFFICIALS/CITIZENS REQUEST MUST REQUEST TO SPEAK TO COMMISSION BY 4:00 P.M. ON THE FRIDAY PRIOR TO THE COMMISSION MEETING ON TUESDAY. CITIZENS SPEAKING TIME WILL BE LIMITED TO FIVE MINUTES.

THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING:  
COMMISSION OFFICE, 302 S. MAIN, COURTHOUSE, ROOM 101, CARTHAGE 417-358-0421

NOTICE POSTED OCTOBER 7, 2016, 2015 AT 4:00 P.M.

(RSMO 610.020)

◊ **Following the regular meeting, the Jasper County Commission will meet in closed session pursuant to**

**DRAFT**

**APPROVED**

CARTHAGE PUBLIC LIBRARY BOARD OF TRUSTEES  
Tuesday, October 11<sup>th</sup>, 2016 5:15 p.m.

CARTHAGE PUBLIC LIBRARY BOARD ROOM  
612 S. Garrison Ave.

AGENDA

Roll Call of Members

Minutes of the Last Meeting

Financial Report

Director's Progress and Service Report

President's Message

Council Liaison's Report

Committee Reports  
Building Committee

Budget Committee

Community Relations

By-Laws

Library Gardens

ADA Compliance

Unfinished Business

New Business  
Revise Overtime Policy

Payment of Bills

Adjournment



**CARTHAGE**  
**PUBLIC LIBRARY**

612 S. Garrison Avenue  
Carthage, Missouri 64836  
Ph 417.237.7040  
Fx 417.237.7041  
carthage.lib.mo.us

**John Bartosh**  
*Presiding Commissioner*

# JASPER COUNTY COMMISSION

302 S. Main ST  
Carthage, MO 64836

**Jim Honey**  
*Eastern District Commissioner*

Carthage: 417-358-0421  
Joplin: 417-625-4350

**Daricus K. Adams**  
*Western District Commissioner*

Toll Free: 800-404-0421  
Fax: 417+358-0483



COMMISSION AGENDA  
OCTOBER 18, 2016  
9:00 A.M.  
JASPER COUNTY COURTHOUSE ROOM 101

1. CALL TO ORDER
  - PLEDGE OF ALLEGIANCE
  - PRAYER
2. ROLL CALL
3. APPROVAL OF MINUTES
4. PRESENTATIONS
  - ♦ **Stan Heater-Present Budget Amendment for the LEST Grant Board**
5. REPORTS AND COMMUNICATIONS
6. ELECTED OFFICIALS/CITIZENS REQUESTS
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
10. PUBLIC HEARINGS

PUBLIC PARTICIPATION FROM AUDIENCE WHEN ADDRESSED YOU WILL BE ALLOWED THREE MINUTES TO SPEAK.

ELECTED OFFICIALS/CITIZENS WISHING TO BE HEARD UNDER ELECTED OFFICIALS/CITIZENS REQUEST MUST REQUEST TO SPEAK TO COMMISSION BY 4:00 P.M. ON THE FRIDAY PRIOR TO THE COMMISSION MEETING ON TUESDAY. CITIZENS SPEAKING TIME WILL BE LIMITED TO FIVE MINUTES.

THE NEWS MEDIA MAY OBTAIN COPIES OF THIS NOTICE BY CONTACTING:  
COMMISSION OFFICE, 302 S. MAIN, COURTHOUSE, ROOM 101, CARTHAGE 417-358-0421

NOTICE POSTED OCTOBER 14, 2016, 2015 AT 4:00 P.M.

(RSMO 610.020)



## AGENDA

Notice is hereby given that the Carthage Water & Electric Plant Board will meet October 27, 2016, 4 p.m. at the CWEP Complex, 627 W. Centennial, Carthage. The tentative agenda of the regular meeting includes:

### ADDITIONS TO THE AGENDA

APPROVAL OF THE BOARD MINUTES: August 25, 2016

APPROVAL OF DISBURSEMENTS:	August	\$3,340,616.65
	September	\$2,869,502.98

FINANCIAL STATEMENT: August/September

COMMITTEE REPORTS:  
CITIZENS PARTICIPATION PERIOD

OLD BUSINESS: None.

### NEW BUSINESS:

1. CONSIDERATION OF HEALTH INSURANCE RENEWAL
2. CONSIDERATIONS OF BIDS FOR CABLE PLOW
3. CONSIDERATIONS OF BIDS FOR TRACK LOADER

### MISCELLANEOUS

### STAFF REPORTS

### BOARD MEMBER COMMENTS

Persons with disabilities who need special assistance may call 417-237-7300 or 1-800-735-2466 (TDD via Relay Missouri) at least 24 hours prior to meeting.

Representatives of the news media may obtain copies of this notice by contacting:  
Susan Wendleton, P O Box 611 Carthage, MO 64836 417-237-7300

# ***CORRESPONDENCE***

**Carthage Public Library  
Balance Sheet - cash basis  
September 30, 2016**

**Assets**

	<u>2017</u>
<b>Current Assets</b>	
Cash in bank - treasurer's cash	\$ 485,870.47
Cash in bank - Simmons Bank	24,555.78
Cash on hand - circulation desk	42.10
Cash on hand - Internet desk	24.05
Petty cash	240.00
Employee advance	<u>200.00</u>
<b>Total Current Assets</b>	<u>510,932.40</u>
<b>Total Assets</b>	<u>\$ 510,932.40</u>

**Liabilities and Net Assets**

<b>Net Assets</b>	
Unrestricted Net Assets	\$ 150,407.07
Temporarily Restricted Net Assets:	
Boylan Grant	1,676.80
Carthage Community Foundation	443.26
CPL Collection Development Grant	(2,478.18)
CPL Development Foundation	40,828.08
Debbie Putnam - Ebooks	7,739.74
Library Gardens	7,930.29
Racing to Read Grant	11,198.16
Spotlight on Literacy Grant	39,865.55
Steadley Trust	21,897.24
Summer reading program	806.20
Summer reading program - MOSL grant	(691.06)
Operational reserves	195,998.47
Permanently Restricted Net Assets:	
Change in net assets	<u>35,310.78</u>
<b>Total Net Assets</b>	<u>510,932.40</u>
<b>Total Liabilities and Net Assets</b>	<u>\$ 510,932.40</u>

**Carthage Public Library**  
**Statements of Income and Other Changes in Net Assets - cash basis**  
**For the One Month and Three Months Ended September 30, 2016**

	2016 Month Actual	Monthly Budget	Monthly Variance	2016 Year to date	Annual Budget	Annual Variance
<b>Revenue</b>						
Book sale income	\$ 121.05	\$ 250.00	\$ 128.95	\$ 559.65	\$ 3,000.00	\$ 2,440.35
Copier income	610.10	583.33	(26.77)	1,884.65	7,000.00	5,115.35
Donations	1,758.29	0.00	(1,758.29)	4,793.64	0.00	(4,793.64)
Donations-restricted	2,319.55	916.67	(1,402.88)	11,179.55	11,000.00	(179.55)
Fax income	190.00	83.33	(106.67)	602.20	1,000.00	397.80
Fine income	623.73	583.33	(40.40)	2,311.60	7,000.00	4,688.40
Interest income	214.34	83.33	(131.01)	614.25	1,000.00	385.75
Non-resident fee income	460.00	666.67	206.67	1,940.00	8,000.00	6,060.00
Payment for lost books	75.32	13.89	(61.43)	122.08	166.67	44.59
Postage income	2.00	13.89	11.89	6.48	166.66	160.18
State aid	0.00	583.33	583.33	0.00	7,000.00	7,000.00
Sur tax	0.00	833.33	833.33	0.00	10,000.00	10,000.00
Tax income	861.42	16,416.67	15,555.25	2,342.17	197,000.00	194,657.83
Tax income - Park and storm water	47,116.33	36,166.67	(10,949.66)	228,010.90	434,000.00	205,989.10
Other income	32.85	13.89	(18.96)	173.28	166.67	(6.61)
Total revenue	<u>54,384.98</u>	<u>57,208.33</u>	<u>(2,823.35)</u>	<u>254,540.45</u>	<u>686,500.00</u>	<u>(431,959.55)</u>

See accountant's compilation report.

**Carthage Public Library**  
**Statements of Income and Other Changes in Net Assets - cash basis**  
**For the One Month and Three Months Ended September 30, 2016**

	2016 Month Actual	Monthly Budget	Monthly Variance	2016 Year to date	Annual Budget	Annual Variance
<b>Operating Expenses</b>						
Salaries	48,080.29	36,916.67	11,163.62	110,839.05	443,000.00	(332,160.95)
Lagers	1,865.05	1,533.33	331.72	4,074.86	18,400.00	(14,325.14)
Payroll taxes - FICA	<u>3,679.07</u>	<u>2,616.67</u>	<u>1,062.40</u>	<u>8,480.68</u>	<u>31,400.00</u>	<u>(22,919.32)</u>
Total payroll expenses	<u>53,624.41</u>	<u>41,066.67</u>	<u>12,557.74</u>	<u>123,394.59</u>	<u>492,800.00</u>	<u>(369,405.41)</u>
Employee goodwill	127.84	250.00	(122.16)	312.94	3,000.00	(2,687.06)
ADA Compliance	0.00	4.17	(4.17)	0.00	50.00	(50.00)
Advertising	0.00	166.67	(166.67)	0.00	2,000.00	(2,000.00)
Audio-visuals	403.59	333.33	70.26	972.23	4,000.00	(3,027.77)
Books	3,530.92	2,500.00	1,030.92	8,254.47	30,000.00	(21,745.53)
Books - children's	2,090.16	1,333.33	756.83	3,190.42	16,000.00	(12,809.58)
Contract fees	12,284.13	2,937.50	9,346.63	17,848.67	35,250.00	(17,401.33)
Dues and travel	536.38	250.00	286.38	1,793.51	3,000.00	(1,206.49)
Ebooks	0.00	291.66	(291.66)	3,200.00	3,500.00	(300.00)
Furniture and equipment	1,025.35	4,625.00	(3,599.65)	7,534.42	55,500.00	(47,965.58)
Information technology (IT)	310.91	416.67	(105.76)	966.91	5,000.00	(4,033.09)
Insurance	0.00	1,500.00	(1,500.00)	1,980.00	18,000.00	(16,020.00)
Legal and professional	0.00	583.33	(583.33)	0.00	7,000.00	(7,000.00)
Periodicals	3,440.63	500.00	2,940.63	3,893.25	6,000.00	(2,106.75)
Postage	23.73	125.00	(101.27)	193.96	1,500.00	(1,306.04)
Programs - adult	4.56	312.50	(307.94)	174.07	3,750.00	(3,575.93)
Programs - children	1,250.10	1,433.33	(183.23)	3,208.72	17,200.00	(13,991.28)
Programs, teens	0.00	83.33	(83.33)	194.63	1,000.00	(805.37)
Repairs and maintenance	144.17	1,666.67	(1,522.50)	28,995.36	20,000.00	8,995.36
Supplies	1,757.92	1,416.67	341.25	4,875.48	17,000.00	(12,124.52)
Telephone	636.52	704.17	(67.65)	1,367.86	8,450.00	(7,082.14)
Utilities	2,342.32	2,916.67	(574.35)	6,878.18	35,000.00	(28,121.82)
Depreciation and amortization	<u>(1,409.34)</u>	<u>83.33</u>	<u>(1,492.67)</u>	<u>0.00</u>	<u>1,000.00</u>	<u>(1,000.00)</u>
	<u>28,499.89</u>	<u>24,433.33</u>	<u>4,066.56</u>	<u>95,835.08</u>	<u>293,200.00</u>	<u>(197,364.92)</u>
Total expenses and losses	<u>82,124.30</u>	<u>65,500.00</u>	<u>16,624.30</u>	<u>219,229.67</u>	<u>786,000.00</u>	<u>(566,770.33)</u>

See accountant's compilation report.

**Carthage Public Library**  
**Statements of Income and Other Changes in Net Assets - cash basis**  
**For the One Month and Three Months Ended September 30, 2016**

	2016 Month Actual	Monthly Budget	Monthly Variance	2016 Year to date	Annual Budget	Annual Variance
Increase/(Decrease) in unrestricted net assets before transfers	(27,739.32)	(8,291.67)	(19,447.65)	35,310.78	(99,500.00)	134,810.78
Transfers to capitalized assets	(24,053.81)	0.00	(24,053.81)	0.00	0.00	0.00
Transfers from temporary restricted	5,025.33	8,291.67	(3,266.34)	36,256.54	99,500.00	(63,243.46)
Transfers to temporary restricted	(2,319.55)	0.00	(2,319.55)	(11,179.55)	0.00	(11,179.55)
Increase/(Decrease) in unrestricted net assets	<u>(49,087.35)</u>	<u>0.00</u>	<u>(49,087.35)</u>	<u>60,387.77</u>	<u>0.00</u>	<u>60,387.77</u>
<b>Changes in temporarily restricted net assets</b>						
CPL Collection Development Grant	2,319.55			2,319.55		
Racing to Read Grant	0.00			3,360.00		
Spotlight on Literacy Grant	0.00			3,500.00		
Spotlight on Literacy Grant - Local	0.00			2,000.00		
CPL Collection Development Grant	158.63			158.63		
CPL Development Foundation	(426.06)			(14,914.17)		
Library Gardens	(124.92)			(274.91)		
Racing to Read Grant	(472.50)			(1,376.87)		
Racing to Read Grant - Local	(1,188.26)			(2,140.33)		
Spotlight on Literacy Grant	(1,218.75)			(3,581.25)		
Spotlight on Literacy Grant - Local	(1,775.43)			(10,035.51)		
Summer reading program	21.96			(472.52)		
Summer reading program - MOSL grant	0.00			(3,619.61)		
Increase/(Decrease) in temporarily restricted net assets	<u>(2,705.78)</u>			<u>(25,076.99)</u>		
<b>Change in net assets</b>	<u>\$ (51,793.13)</u>			<u>\$ 35,310.78</u>		

See accountant's compilation report.

**Carthage Public Library  
Gift Account Activity  
For the One Month and Three Months Ended September 30, 2016**

	<u>Beginning Balance</u>	<u>Increases</u>	<u>Decreases</u>	<u>Ending balance</u>
Boylan Grant	\$1,676.80	\$0.00	\$0.00	\$ 1,676.80
Carthage Community Foundation	443.26	0.00	0.00	443.26
CPL Collection Development Grant	(2,478.18)	2,319.55	158.63	0.00
CPL Development Foundation	40,828.08	0.00	(14,914.17)	25,913.91
Debbie Putnam - Ebooks	7,739.74	0.00	0.00	7,739.74
Library Gardens	7,930.29	0.00	(274.91)	7,655.38
Racing to Read Grant - <del>Local</del>	11,198.16	3,360.00	(1,376.87)	13,181.29
Racing to Read Grant - <del>Local</del>	0.00	0.00	(2,140.33)	(2,140.33)
Spotlight on Literacy Grant - <del>Local</del>	39,865.55	3,500.00	(3,581.25)	39,784.30
Spotlight on Literacy Grant - <del>Local</del>	0.00	2,000.00	(10,035.51)	(8,035.51)
Steadley Trust	21,897.24	0.00	0.00	21,897.24
Summer reading program	806.20	0.00	(472.52)	333.68
Summer reading program - MOSL grant	(691.06)	0.00	(3,619.61)	(4,310.67)
Operational reserves	195,998.47	0.00	0.00	195,998.47
<b>Totals</b>	<u>\$ 325,214.55</u>	<u>\$ 11,179.55</u>	<u>\$ (36,256.54)</u>	<u>\$ 300,137.56</u>

See accountant's compilation report.

**CARTHAGE PUBLIC LIBRARY**

Expenditures Reimbursed by Grants		Year to Date Ending 9/30/2015				
		Actual Expenses Year to Date	Grant Funded Amount	Actual Expenses w/o Grant Amount	Year to Date Budget	Year to Date Variance
Salaries	85,313.06	1,359.90	83,953.16	91,935.51	(7,982.35)	
FICA	6,527.99	-	6,527.99	7,032.99	(505.00)	
LAGERS	2,480.71	-	2,480.71	3,921.99	(1,441.28)	
Unemployment	-	-	-	12.51	(12.51)	
Audio-Visuals	1,599.84	241.74	1,358.10	999.99	358.11	
Book	5,433.79	54.48	5,379.31	7,500.00	(2,120.69)	
Children Book	3,913.01	-	3,913.01	3,750.00	163.01	
Periodical	4,065.62	-	4,065.62	1,500.00	2,565.62	
Ebook	-	3,200.00	(3,200.00)	875.01	(4,075.01)	
Utilities	7,236.48	-	7,236.48	9,999.99	(2,763.51)	
Postage	190.21	-	190.21	375.00	(184.79)	
Telephone	998.80	-	998.80	1,250.01	(251.21)	
Insurance	1,914.00	-	1,914.00	4,374.99	(2,460.99)	
Furniture and Equipment	591.46	-	591.46	1,250.01	(658.55)	
Maintenance and Repair	7,759.01	5,321.36	2,437.65	2,499.99	(62.34)	
Dues and Travel	567.56	232.81	334.75	624.99	(290.24)	
Supplies	1,696.88	434.26	1,262.62	2,499.99	(1,237.37)	
Legal and Accounting	-	-	-	1,749.99	(1,749.99)	
Miscellaneous	29.99	-	29.99	-	29.99	
Contract Fees	14,080.70	-	14,080.70	8,000.01	6,080.69	
Programs, Children	3,546.04	2,865.02	681.02	750.00	(68.98)	
Programs, Teens	723.53	251.29	472.24	249.99	222.25	
Programs, Adult	63.17	-	63.17	249.99	(186.82)	
Information Technology (IT)	129.55	-	129.55	1,250.01	(1,120.46)	
ADA Compliance	-	-	-	12.51	(12.51)	
Employee Goodwill	814.11	560.93	253.18	375.00	(121.82)	
Advertising	799.08	772.08	27.00	500.01	(473.01)	
Preservation of Historical Documents	-	-	-	7,500.00	(7,500.00)	
Capital Improvement projects/assets	40,803.00	40,803.00	-	9,999.99	(9,999.99)	
Depreciation and Amortization	1,312.58	-	1,312.58	249.99	1,062.59	
	\$ 192,590.17	\$ 56,096.87	\$ 136,493.30	\$ 171,290.46	\$ (34,797.16)	

	10/1/2016 Beginning Balance	Increases	Decreases	10/31/2016 Ending Balance
Kirk Bryan Trust	-			-
Library Gardens	7,655.38			7,655.38
Katherine Hyde	-			-
General Gift Account	-			-
Surplus Property	-			-
J.D. Kirk	-			-
Wilma Hogle Trust	-			-
Community Foundation	443.26			443.26
CPL Development Fund	25,913.91			25,913.91
Boylan Grant	1,676.80			1,676.80
LSTA Grants	-			-
Steadley Trust	21,577.28			21,577.28
Friends of The Library	-			-
Annex Poceeds	-			-
Bill Hansford	-			-
Debbie Putnam - Ebooks	7,739.74			7,739.74
Loraine Bartlett - Adult Books	-			-
CPLDF-Electronic Equipment Fund	-			-
Debbie Putnam/Tim Rodgers - Children Section	(0.00)			(0.00)
Summer Reading Program-Local Funds	333.68			333.68
Summer Reading Program - MOSL Grant	(4,310.67)			(4,310.67)
Racing to Read Grant - Local Funds	9,377.79			9,377.79
Racing to Read Grant - MOSL Grant	1,983.13			1,983.13
Schreiber Grant	-			-
CPL Collection Development Grant	-			-
Spotlight on Literacy Grant - Local Funds	31,964.49		(748.47)	31,216.02
Spotlight on Literacy Grant- MOSL Grant	(215.70)			(215.70)
Operational Reserves	195,998.47			195,998.47
	<b>300,137.56</b>	<b>\$ -</b>	<b>\$ (748.47)</b>	<b>\$ 299,389.09</b>
			Difference	\$ 748.47
				\$ 300,137.56

Amount on Report

Difference \$ 748.47 \$ 300,137.56

## October 2016 Director's Report

Julie Yockey, Director

I love my job every day, but Fall in Carthage is the best time of all to be able to come to work. From my desk, I have to have the most beautiful view of Fall that anyone could ask for!

October will be over too quickly. We have been planning and making arrangements for two large events that will take place on October 19<sup>th</sup> and 20<sup>th</sup>. On the 19<sup>th</sup> we will host the State Library's Summer Reading workshop, that will have about 50 people in attendance from all over the State. On Thursday, the 20<sup>th</sup>, we will host the Carthage Community Foundation's Quarterly Luncheon. Two wonderful opportunities to show off our beautiful Library. Our staff will be dressed in Halloween costumes on the 31<sup>st</sup> as we participate with the City's Trick or Treats on the Square. These are fun days at the Library!

The Library partnered with the YMCA during the first week in October to offer English as well as bilingual Story Times for our little ones which included a special Halloween story and a free pumpkin for each child to decorate and take home. If you take a walk through the Library you will notice many fall decorations which showcase new photographs of our patrons and various events which have taken place. The adult literacy class, "Spotlight on Literacy" has hit our three year goal of 20 students! (We are only in the 6<sup>th</sup> month of the program) Space and storage are big problems for us right now, but not a bad problem to have when you are meeting the needs of the underserved and the unserved in our community.

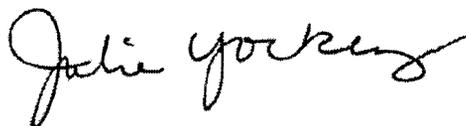
Randy Dubry and G & G Construction have been repairing the ceiling in the internet area and Randy is working with me to prepare quotes for future projects that need to be completed.

The System Administrator, Children's Administrator as well as myself attended the Missouri Library Association Conference last week. It was a very productive learning time for all three of us. A great time to network with our fellow libraries and of course a great time to share and learn new concepts. It is a great feeling for once to feel like we are ahead of the game in comparison to what other libraries across our area are doing. I feel proud when I get to speak up and share all the wonderful things we offer our patrons in Carthage.

The largest of all the State Reports that I am expected to do has been finished and submitted. I am hoping that over the next few weeks Judy and I can have time to work on cleaning out the dreaded closet of book keeping files that have been accumulating for 100 years! Our plan is to digitize many of them so that we can save on space!

The Library is always beautiful, but especially this time of the year. Stop in and see what your Library has to offer you, and get a library card if you don't already have one.

Respectfully submitted, Julie Yockey



Children's Progress Report  
September 2016, Sherri Luce

This September, we've hosted four regular Storytimes and three Bi-lingual Storytimes here at the Library; I've visited Kids First and Head Start preschools for outreach programs; we invited each of the local public elementary schools, St. Ann's Catholic School, and Carthage Middle School to attend Back-to-School Nights at the Library; two PAWS events; and one Teen Anime. Altogether, those 21 events brought in contact with the Library approximately 425 people.

The focus for regular Storytime is again the Missouri Building Block Award Nominees. There are 10 books, and in December, children will be asked to vote for their favorite. Carthage preschoolers and kindergartners that vote will have those votes combined with others statewide. In Bilingual Storytime, Ms. Janine has been creating lessons around Spanish traditions, or sometimes following the theme of regular Storytimes. Both groups have a good base of regular attendees.

With this being only our second year of partnering with the Carthage School District, we had several families returning to update their library cards, as well as new families getting their first library cards. Students had an opportunity to take a self-tour of the library while completing a scavenger hunt (of course, this was different from last year's). After finishing the puzzle, kids receive prizes and a drawing ticket for a gift basket. All of the winners have been extremely excited, and I have loved delivering the baskets to school and taking pictures.

The Children's Department constantly receives many compliments on the rearrangement and purchase of new manipulatives. Kids and parents alike are enjoying all of the hands-on activities to spark creative learning in the form of play.



Harry S Truman Coordinating Council

800 E. Pennell  
Carl Junction, MO 64834

Office: (417)649-6400  
Fax: (417)649-6409  
www.hstcc.org

Oct. 17, 2016

Dear HSTCC Regional Community,

As we approach a new year, the Board of Directors and staff of the Harry S Truman Coordinating Council wish to thank you for your support of our ongoing efforts to serve the counties of Barton, Jasper, Newton and McDonald, and all the communities within. This past year we have enjoyed getting to know more about your communities and your projects and goals. And we have enjoyed getting to know YOU.

It is our goal to be even more engaged and helpful in assisting our members with planning activities related to infrastructure, transportation, environmental issues, disaster mitigation and economic development. Our staff is poised and ready to serve you any way we can to help you achieve your goals.

Enclosed you will find your annual membership invoice. The membership fee is based on the population of your community. Counties are asked to pay \$500, plus \$.10 per capita outside of any incorporated area. Cities and villages are asked to pay \$ .30 per capita within their incorporated areas.

Each dollar we receive from our members is used as the required "matching" funds for grants we receive from various state and federal agencies. We are only able to qualify for those grants by leveraging your membership dollars. That is why it is so important that each of you participate as a paid member.

I am enclosing our Annual Report for FY 2015-2016. Inside you will learn about the projects and programs we have been working on. You can see that, with our very limited staff, we reach out to every community in our four-county area and offer assistance. We are supporting you in programs you may not even be aware of.

That being said, we encourage you to please make the most of your membership by attending the quarterly meetings of the HSTCC board of directors. The next meeting is scheduled for:

11:30 am, Wednesday, Oct. 26  
at the Parkwood Senior Apartments  
1200 N. Rangeline, Joplin  
**Lunch is provided**

Each paid member may send one representative from their community to serve as a director with authority to vote in the decision-making process of our organization. The Harry S Truman Coordinating Council is YOU.

Thank you again for your support. Please remit the requested membership fee no later than Dec. 31, 2016, to reserve your place on our board of directors.

Sincerely,

Jill Cornett, Executive Director



## Harry S Truman Coordinating Council

**2015 – 2016  
Annual Report**

---

HSTCC serves Barton, Jasper, Newton & McDonald Counties,  
and the communities within.

# Table of Contents

About HSTCC / Mission Statement .....	3
Governance.....	4
Regional Programs and Initiatives.....	5
Transportation Planning .....	6-7
Community & Comprehensive Planning .....	8-9
Hazard Mitigation Planning.....	10-11
Environmental Planning .....	12
Solid Waste Planning .....	13
Community Development Block Grants .....	14
Joint Land Use Implementation .....	15
Economic Development Administration .....	16
Harry S Truman Community Development Corporation .....	17
Operating Revenue Graph .....	18
Our Counties & Communities .....	19

## About HSTCC

The Harry S Truman Coordinating Council (HSTCC) is a Regional Planning Commission (RPC) created by Missouri State Statute 251.250. HSTCC is one of 19 active Regional Planning Commissions (RPCs) in the State. RPCs are also referred to as Councils of Government (COGs).

Members of the HSTCC are the cities and counties in good standing within Barton, Jasper, Newton & McDonald counties, as well as associate members who are stakeholders in the region.

Missouri's regional planning commissions work together through the Missouri Association of Councils of Government (MACOG) a state association, to share educational opportunities and best practices, as well as meet with state agencies in Jefferson City on a monthly basis.

## Services

HSTCC serves the communities of Barton, Jasper, Newton & McDonald counties in southwest Missouri by providing planning, research, administration and other services by leveraging funds from a variety of governmental sources. By combining the goals of several jurisdictions into a single project, HSTCC is able to produce plans and other services in a cost-efficient manner. HSTCC bills each city and county a membership fee based on population. Not all cities or counties in our region choose to participate. In 2015-2016, HSTCC received \$42,360 in fees.

The primary goal is to provide communities a forum in which they can make the best use of limited resources to meet local needs. Services include Comprehensive Planning, Economic Development Planning, Grant Preparation and Administration, Transportation Planning, Hazard Mitigation Planning and the administration of the Region M Solid Waste Management District.

### Mission Statement

*The mission of the Harry S Truman Coordinating Council (HSTCC) is to promote human resources & educational opportunities and to provide community, economic and environmental planning and development in order to enhance the quality of life for the residents of the four-county region.*

## Governance

The Harry S Truman Coordinating Council (HSTCC) is governed by a Board of Directors comprised of the paid members of the organization. Each local government (county and/or municipality) is assessed a membership fee based on decennial census. Once the local government had paid its assessed fee to the HSTCC office, that entity has full access to the rights and privileges of membership.

The Board of Directors elects an Executive Committee each year. That Executive Committee is responsible for the oversight of the organization and the Executive Director.

### 2015-2016 the Executive Committee:

Jim Swatsenbarg (Carthage) -- CHAIR  
Steve Lawver (Carl Junction) – VICE CHAIR  
Gary Turner (Sarcoxie) – TREASURER  
Jane Ballard (Duenweg at large) – SECRETARY  
Mike Davis (Barton County)  
John Bartosh (Jasper County)  
John Bunch (McDonald County)  
Jim Jackson (Newton County)  
Gary Shaw (Joplin)  
Paula Brodie (Goodman)  
Lynn Calton (Lamar)  
Troy Royer (Neosho)  
Gabe Lett (Tri-State Engineering)  
Alison Malinowski-Sunday (Lafayette House)  
Mark Turnbull (Joplin Regional Plan)  
Jasen Jones (Workforce Investment Board)

### HSTCC PAID MEMBERS 2016

Alba	McDonald County
Anderson	Neck City
Asbury	Neosho
Carl Junction	Newtonia
Carterville	Noel
Carthage	Oronogo
Dennis Acres	Pineville
Diamond	Purcell
Duquesne	Saginaw
Fairview	Sarcoxie
Fidelity	Seneca
Goodman	Shoal Creek Drive Village
Granby	Village of Airport Drive
Jasper County	Village of Jane
Joplin	Village of Leawood
Lamar	Webb City
Liberal	Wentworth
Loma Linda	

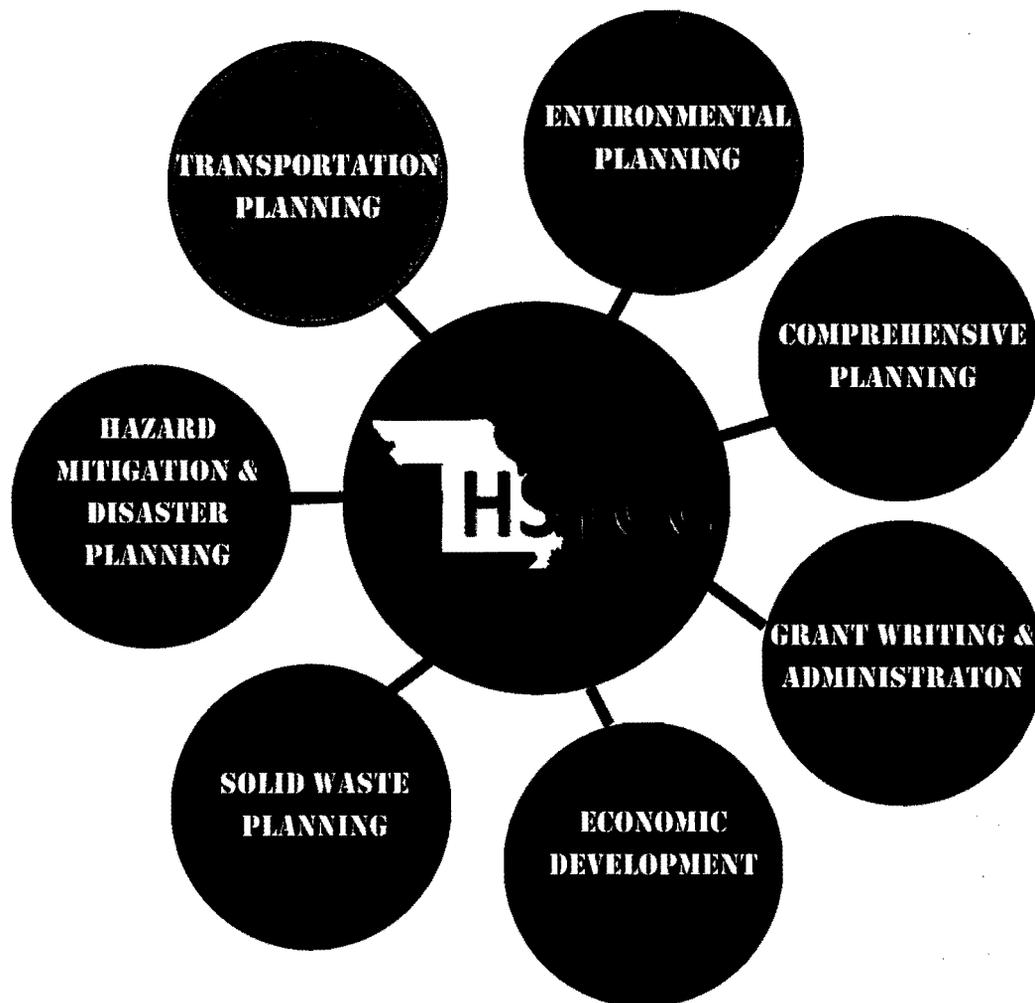
### ASSOCIATE MEMBERS

Allgeier, Martin & Associates, Inc.  
Joplin Regional Membership  
Lafayette House  
Tri State Engineering  
Workforce Investment Board of  
the Southwest Region, Inc.

## Regional Programs and Initiatives

Through partnerships with federal, state and local governments, as well as other quasi-governmental entities and nonprofit organizations, HSTCC is able to assist communities in recognizing the type of services that may benefit them, and how to obtain that assistance.

In 2015-2016, HSTCC provided a wide range of services to the counties and cities in its region. The following pages provide a description of the services provided, and an estimated cost benefit to the communities served.



## **TRANSPORTATION PLANNING**

HSTCC's transportation planning program is conducted through a cooperative agreement with the Missouri Department of Transportation (MoDOT). HSTCC received \$80,148 from MoDOT in FY 2015-2016. This amount included the regular Work Program grant revenues, plus a carryover balance due from the previous fiscal year. HSTCC provides transportation planning coordination for the areas within its four-county area in southwest Missouri, outside of the Joplin metropolitan area, which is served by the Joplin Area Transportation Services Organization (JATSO).



The transportation planning program conducted by HSTCC includes the development and maintenance of a regional transportation plan, identification and prioritization of transportation system needs, coordination with MoDOT, and dissemination of information on transportation issues to the HSTCC membership, and technical and advisory assistance to local governments.

An important component of this program is the Transportation Advisory Committee (TAC), comprised of representatives from each county in the region. The TAC serves as an advisory body to the HSTCC Board of Directors and MoDOT on the transportation system needs assessment and prioritization process.

### **Transportation Needs Prioritization**

As part of the prioritization process described in MoDOT's Planning Framework for Transportation Decision Making, the TAC engaged in identifying and prioritizing a list of needs for MoDOT's consideration for scoping during FY2015-16. Part of this process included meeting with the county commissioners and city officials in each county and discussing any new or ongoing transportation needs in the county. The county and city meetings were completed in FY2012 and the TAC completed prioritizing the needs list in May 2016. The top 21 priority needs for Road & Bridge Projects included:

**Carthage I-49 at 171 Hwy:** New interchange - interstate standards

**Countywide I-44 Countywide:** Jasper & Newton Study to accommodate increased traffic

**McDonald County:** Bella Vista Bypass

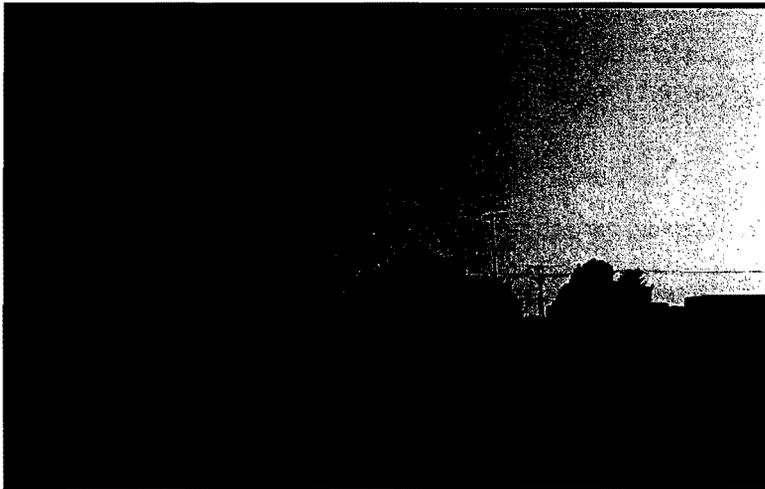
**Airport Drive & Carl Junction MO-171:** Kansas State Line to Fir Rd. Study & widen to accommodate traffic; right turn lanes at Hawthorne, Gum, & Sunset

**Neosho MO-86 Gateway Dr.**

<b>Intersection:</b>	Signaling
<b>Carthage HH Hwy 571 to Steadley Elementary:</b>	Widen to Five-Lane
<b>Diamond MO-59, Hwy. V &amp; J Intersection to I-49:</b>	Needs widened and shoulders added, needs stoplight and regrading
<b>Duenweg E. 7th St. Prosperity to AA Hwy:</b>	Widen, add left turn lane for future development; pave shoulders for bike route
<b>S. of Lamar 30th Rd &amp; KK Hwy 30th: I-49 E. to KK; KK: 40th to Lamar:</b>	Needs widening, hard surfacing, elevate road, add shoulders
<b>Neosho HH Hwy Freeman Rd.</b>	Need turn lane onto South St.
<b>Airport Drive MO-43 Stones Corner N. to Airport:</b>	Widen to 4-lane; left turn lane on to Gum Rd. & Mercy Clinic
<b>Joplin Schifferdecker Bridge Over Shoal Creek:</b>	Bridge replacement
<b>Countywide U.S. 160:</b>	Add shoulders along route & widen bridge at Muddy Creek North Fork Spring River N. of Golden City
<b>Carthage 571 Hwy Phelps Blvd &amp; Walmart Entrance;</b>	2 Roundabouts to mitigate congestion
<b>76 Hwy Countywide:</b>	Add shoulders
<b>Duquesne Road 7th Street to 32nd Street:</b>	Add shoulders and resurfacing
<b>Joplin Indiana Ave. at I-44:</b>	Indiana Avenue overpass
<b>Carterville Citywide:</b>	Engineering Study for historic Main St. area, fix pot holes on state routes, and enhance walkability
<b>Carthage Fir Road (HH) at I-49:</b>	Signaling at intersections
<b>Noel MO-59 near Elk River:</b>	Roadway improvements from river flooding and develop new truck detours; address safety concerns
<b>21 Jane U.S. 71 Raines Road:</b>	Designated right-turn lane for northbound U.S. 71 traffic to Raines Road.

## **COMMUNITY & COMPREHENSIVE PLANNING**

HSTCC has a long history of working with small communities to develop comprehensive plans for future development. Efforts in comprehensive planning and other planning activities from local sources resulted in a revenue of \$11,900. In 2015-2016, HSTCC planners worked closely



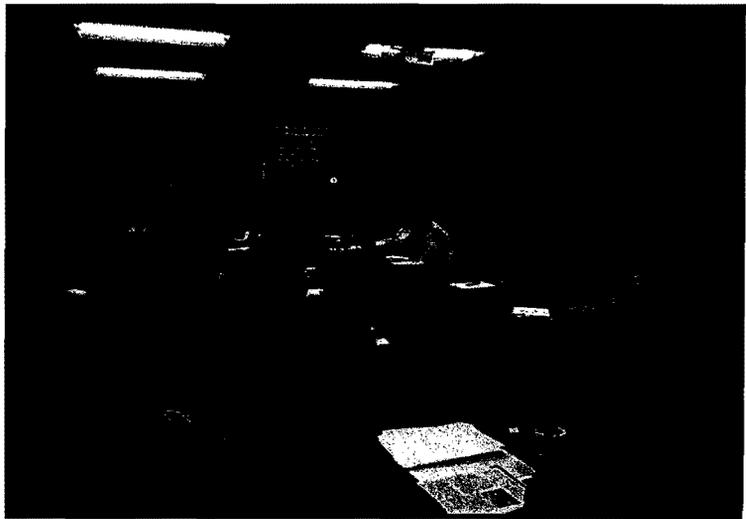
with the Village of Fidelity to create the community's first comprehensive plan. Several public engagement sessions were scheduled to gather input from the village residents. After much discussion among the community members and elected officials, a list of goals and objectives was established to guide the community's growth and ensure the values of the

The City of Fidelity encompasses a large parcel of land north of the intersection of I-49 and Hwy. 59 south of Carthage.

community are preserved in the face of future development.

HSTCC is currently working with the Cities of Neosho and Goodman on comprehensive plans for future development in those communities.

Comprehensive planning for Neosho and Goodman is part of the larger project HSTCC is conducting with the Department of Defense (DOD). In 2013, HSTCC began working on a Joint Land Use Study (JLUS) focused on the Missouri Army National Guard facility in Neosho. The study concluded in 2014, and the next project DOD contracted with HSTCC for was the implementation of elements recommended in the study. Since January 2016, HSTCC staff



Stakeholders and other interested parties have attended a series of public meetings to discuss the JLUS project.

has been working with Newton and McDonald Counties, and the communities of Neosho and Goodman, to educate and inform the adjacent property owners on the activities of the National Guard and how those may impact, or be impacted by, activities on nearby land.

## **HAZARD MITIGATION AND DISASTER PLANNING**



In the Winter of 2016, flood waters ravaged McDonald County, destroying roads and bridges, and including the closure of Hwy. 59, an important route that connects Noel with communities to the north.

The Federal Emergency Management Agency (FEMA) requires state, tribal, and local governments to develop and adopt hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects. Jurisdictions must update their hazard mitigation plans and re-submit them for FEMA approval every five years to maintain eligibility. Through the Hazard Mitigation Assistance (HMA) grant programs (Hazard Mitigation Grant Program, Pre-Disaster Mitigation, and Flood Mitigation Assistance), FEMA offers planning grants that support state, tribal, and local governments in developing and updating mitigation plans.



HSTCC assists each of the four counties in its region in writing their Hazard Mitigation Plans. In 2015-2016, HSTCC earned \$40,907 for assisting counties with Hazard Mitigation Planning. In 2015, HSTCC completed the Newton/Jasper County Plan, the first two-county combined plan HSTCC has worked on. Currently, HSTCC staff is working on the McDonald County Hazard Mitigation Plan, which should be completed by December 2016.

## **ENVIRONMENTAL PLANNING**

HSTCC is working closely with both the Missouri Department of Natural Resources and the Missouri Department of Conservation on programs to increase engagement and input from citizens in the four-county area. In 2015-2016, HSTCC received \$42,905 from these two agencies.

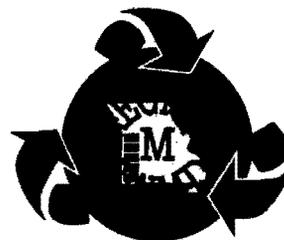
The Missouri LEAF (Local Environmental Advisory Forum) is a partnership with the Conservation Department to help the agency determine what kinds of programs and facilities the public is hoping to see in the future. LEAF began in 2014 with a series of community engagement events in each of the HSTCC's four counties. LEAF is funded through 2017.

Through a volunteer selection process, a LEAF committee was formed. The committee is working with HSTCC and the Department of Conservation to prioritize projects and find funding to bring those projects to fruition.



## **SOLID WASTE PLANNING**

HSTCC is the contracted administrator for the Region M Solid Waste Management District. The Solid Waste Management Program of the Missouri Department of Natural Resources (MDNR) ensures solid waste is managed in such a way that protects both public health and the environment. Through the cooperative efforts of citizens, businesses, industry and government, Missouri can continue to increase material reuse and recycling from all solid waste sources. Reducing the amount of solid wastes generated remains the program's primary goal.



MDNR oversees the operations of 20 Solid Waste Management Districts in the State of Missouri. Region M encompasses Vernon, Barton, Jasper, Newton and McDonald Counties in southwest Missouri. The Region M Board of Director selected HSTCC through a bid process to serve as the District's administrator. In this role, HSTCC assigns an Environmental Planner to assist counties and communities in their efforts to divert solid waste from landfills. In 2015-2016, HSTCC received \$120,555 from Region M for District Operations.

Region M issues a grant call each year to entities in the five-county area who focus some or all of their activities around recycling and education. Grants are awarded on a point basis, and the money is distributed to the recycling agencies through a reimbursement process.



Joplin Waste Paper is the recipient of grant funds through Region M. They operate a recycling facility in north Joplin that includes commercial industrial recycling services.

## **COMMUNITY DEVELOPMENT BLOCK GRANTS**

Working with the Joplin Business and Industry Development Corporation, Jasper County and Owens Corning, HSTCC was able to assist in the grant writing and administration of a Community Development Block Grant in the amount of \$1M for the purpose of constructing a rail spur to service the area leading to a new Owens Corning manufacturing facility in western Jasper County. The new facility will create and estimated 50 new jobs. For this work, HSTCC received \$12,500 in 2015-2016.

HSTCC has been instrumental in writing and administering CDBG grants for several communities in the four-county area for the purpose of reducing blight and fostering economic development in the region.

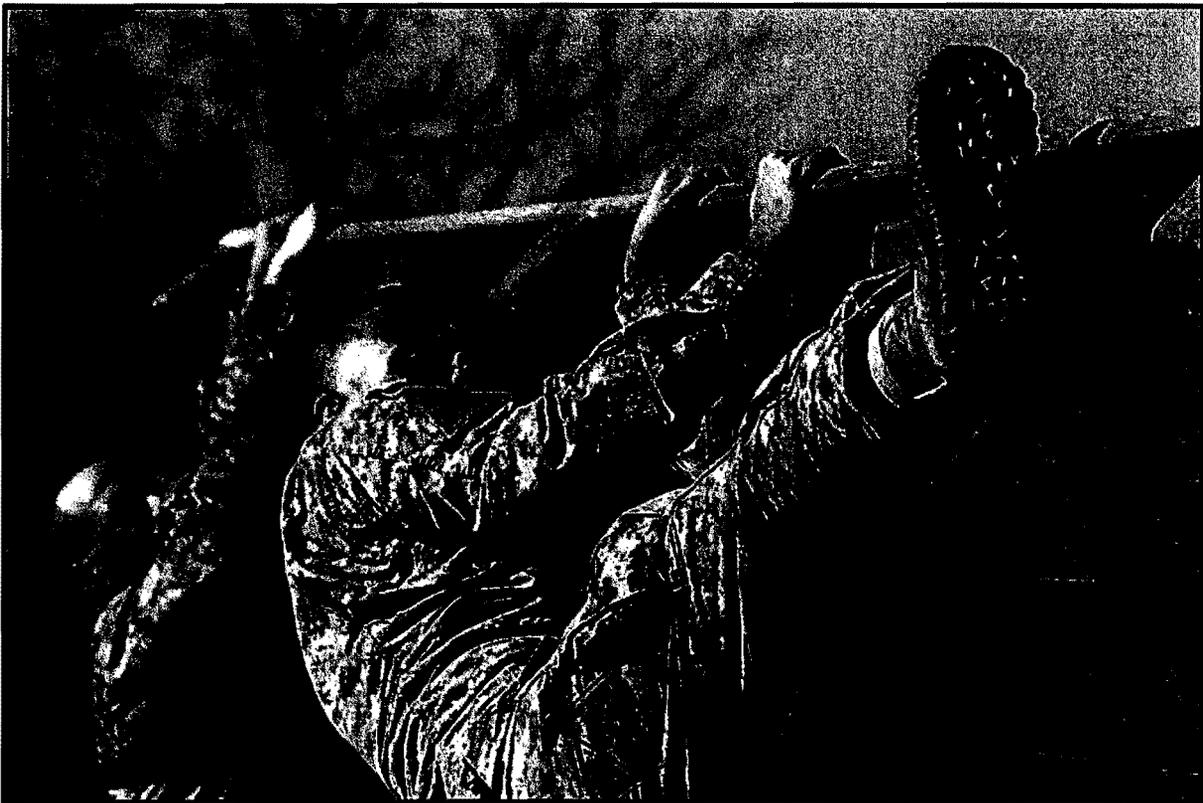


Owens Corning purchased the former Mars pet food plant in western Jasper County. Owens Corning is converting the plant to a mineral wool insulation manufacturing facility.

## **JOINT LAND USE IMPLEMENTATION**

In 2012, HSTCC was contracted by the Department of Defense to assist in the development of a “Joint Land Use Plan” for the area around the Camp Crowder National Guard Training facility in Neosho. The project resulted in a plan that was made available to elected officials and community leaders in the area.

In 2014, the DOD requested that HSTCC assist again, this time to actually implement the plan. Plan implementation includes organizing and facilitating public meetings, designing and producing literature, websites, communications pieces and maps, as well as researching and collecting data pertinent to the project.



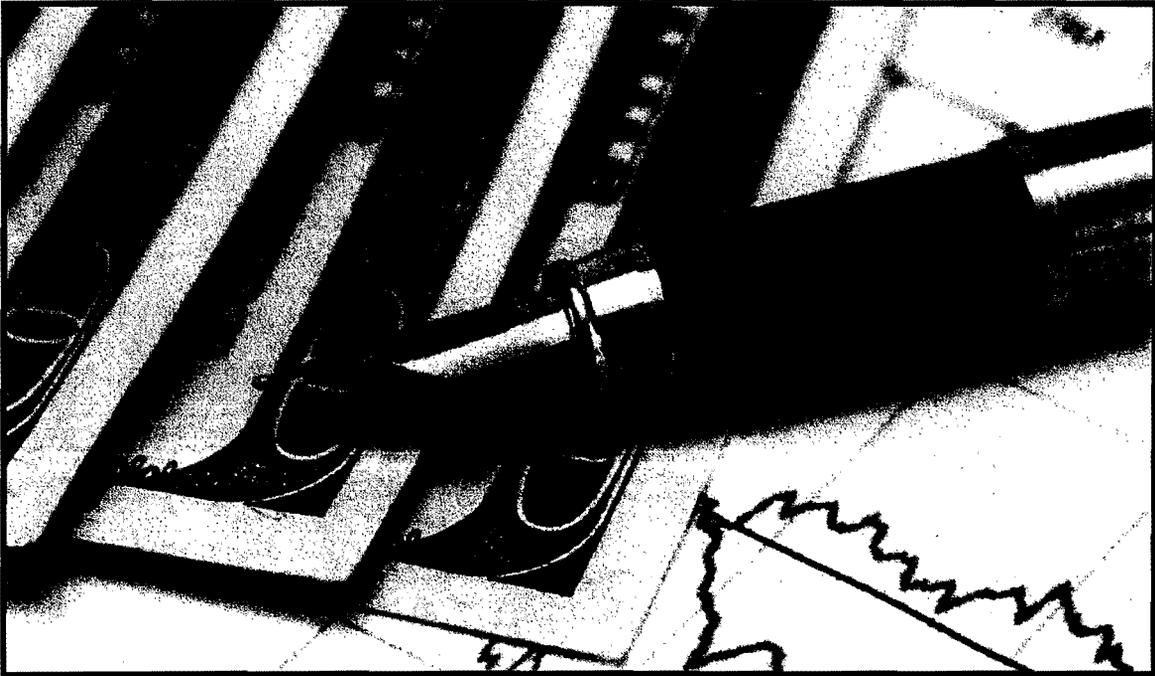
In 2015-2016 HSTCC earned \$44,991 for work on plan implementation. The project is scheduled to continue through 2017.

## **ECONOMIC DEVELOPMENT ADMINISTRATION**

HSTCC benefits from annual grants from the Federal Economic Development Administration (EDA) Revenues from these grants pay for staffing and expenses related to economic development planning, which encompasses a wide variety of activities, and assists in covering staffing costs that the individuals agency grants do not fully cover.

In 2015-2016, HSTCC received \$53,661 from the EDA for serving as a Planning Partner for economic development.

Each year presents new opportunities and challenges to serve our communities and find the funding to do so.



## **HARRY S TRUMAN COMMUNITY DEVELOPMENT CORPORATION**

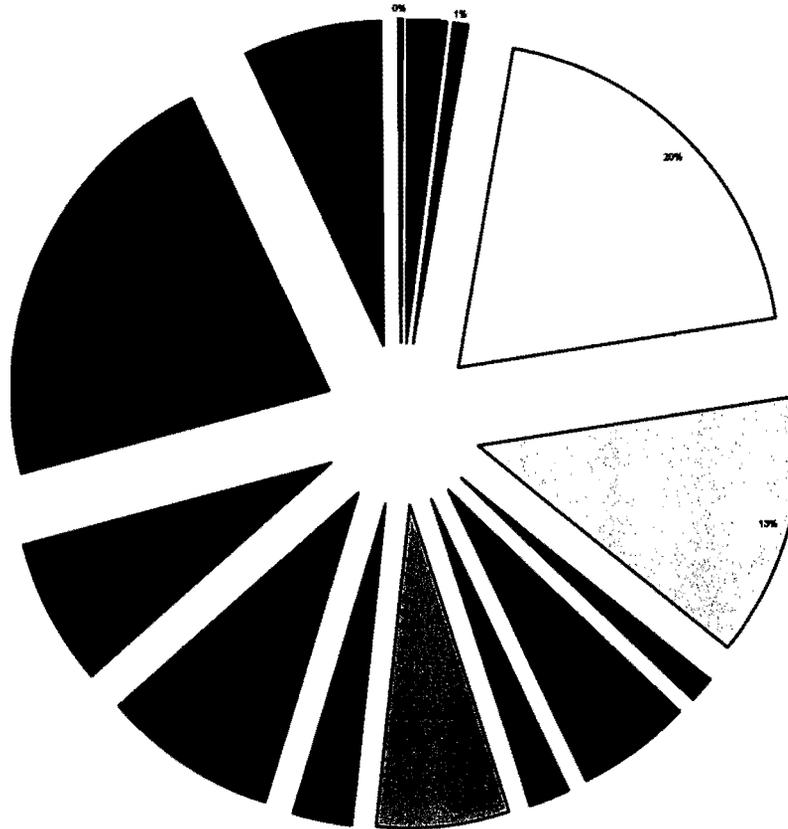
A decade ago, HSTCC spun off a Community Development Corporation whose mission it was to build and operate affordable housing. Since that time, HSTCDC has become a stand-alone nonprofit entity with its own board of directors. HSTCC staff is paid by the CDC to provide operational support, in exchange for an hourly rate for labor, depending on which staff member is working for the CDC at any time.



THE CDC has reimbursed HSTCC \$133,108 in 2015-2016 for ecosts related to the operations of its housing.

The CDC owns the building that HSTCC is housed in, and HSTCC pays rent to CDC in the amount of \$1200 per month.

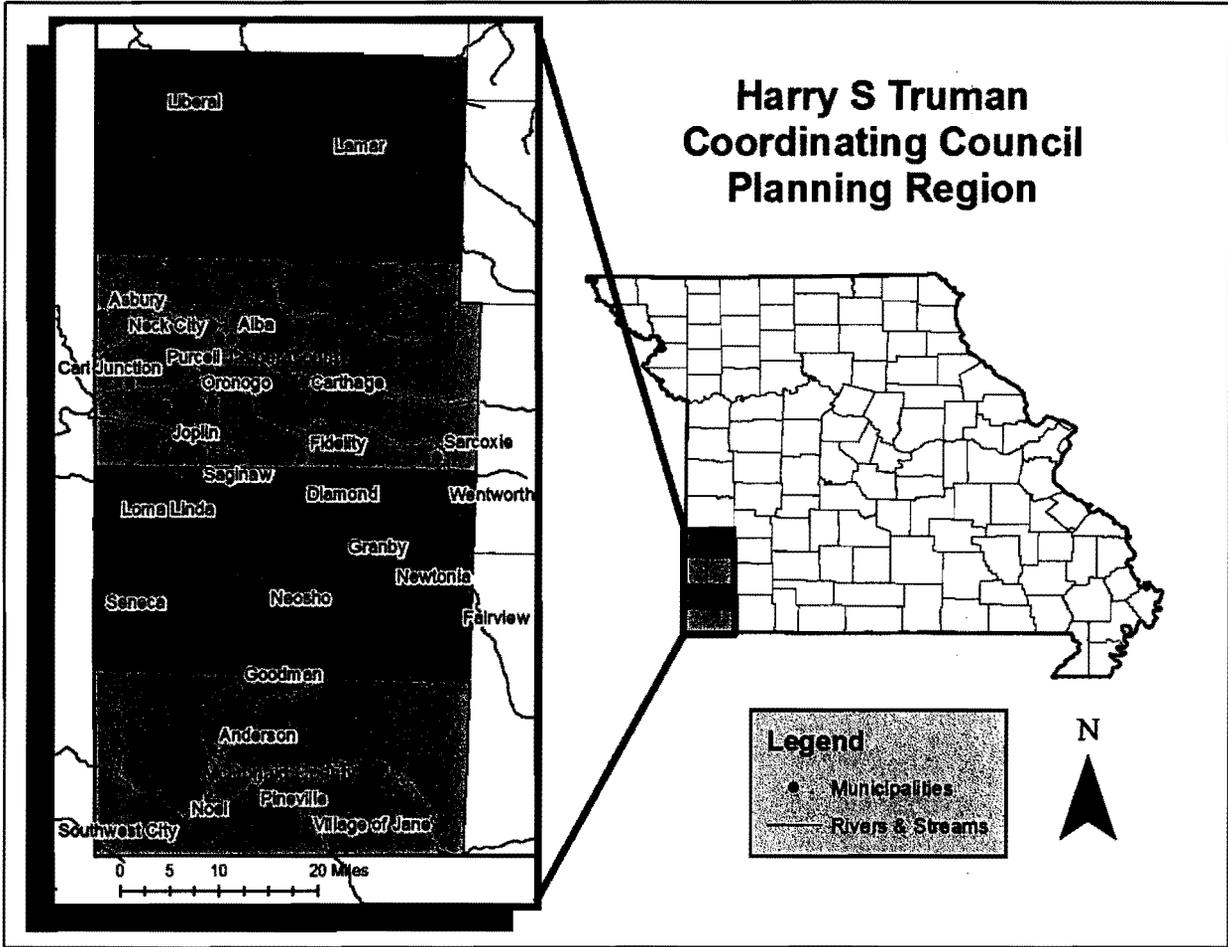
## Operating Income Graph



Operating Income	% Operating Income	
11,900	1.96%	Local Projects
4,451	0.73%	Office of Administration Grant
120,555	19.87%	DNR Region M Waste Management
80,148	13.21%	MoDOT Work Program
7,905	1.30%	Spring River Watershed
35,000	5.77%	Dept of Conservation - MO LEAF
12,500	2.06%	Jasper County Rail Spur
40,907	6.74%	Hazard Mitigation Plans
18,282	3.01%	Other State Grants
53,661	8.84%	EDA Planning Grant
44,991	7.41%	JLUS implementation
133,108	21.93%	HSTCDC Reimbursement of Expenses
42,360	6.98%	Membership Dues
1,085	0.18%	Other Income
<b>606,853</b>		<b>Total Operating Income</b>

## Our Counties and Communities

The Harry S Truman Coordinating Council represents the four counties of (north to south) Barton, Jasper, Newton and McDonald. Within those four counties there are a total of 181 Cities, Villages and Townships. While many of these communities are unincorporated, they do function as a community and look to state and local resources for assistance in meeting their needs.



The total population of the four counties is approximately 208,500, most of whom reside in Jasper County. The greatest concentrated population resides in Joplin, which serves as the commercial and industrial center of this area.

The population is predominantly white, however many races reside in the area as a result of immigration to the U.S. in search of jobs in the agriculture industry.

One of the common themes of the communities we work with is the desire to grow their tax base through increased economic development and business retention.

Another concern of the communities, both large and small, is the exodus of young talent leaving the area in search of better employment opportunities.

HSTCC works closely with the local Chambers of Commerce, Industrial Development Boards, Workforce Investment Board and social service agencies to assist in research and participation in activities to enhance economic development and the quality of life in Southwest Missouri.

Many thanks to our members, our Executive Board, our partners and supporters, without whom we could not begin to take on the projects and programs we manage with our small staff and limited budget.

Thanks to the State legislators and U.S. Representatives and Senators, who are paying attention to the rural counties in Missouri, and working to help them grow and sustain.

And thanks to the staff of the HSTCC, without whom any of this would be possible.

---

EXECUTIVE DIRECTOR:	Jill Cornett
FISCAL OFFICER:	Linda Kyger
PLANNING MANAGER:	Brian Ross
TRANSPORTATION PLANNER:	Nikki Hill
ENVIRONMENTAL PLANNER:	Heidi Scheffler
SOLID WASTE PLANNER:	Lloyd Luapula
COMMUNITY PLANNER:	Brian West

## **"Rosenberg's Rules of Order"**

*(Simple Rules of Parliamentary Procedure for the 21st Century)*

### **Introduction**

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules - "Robert's Rules of Order" - which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time, and for another purpose. If one is chairing or running a Parliament, then "Robert's Rules of Order" is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of, say, a 5-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of "Rosenberg's Rules of Order."

What follows is my version of the rules of parliamentary procedure, based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars: (1) Rules should establish order. The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings. (2) Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate. (3) Rules should be user friendly. That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process. (4) Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, and fully participate in the process.

### **The Role of the Chair**

While all members of the body should know and understand the rules of parliamentary procedure, it is the Chair of the body who is charged with applying the rules in the conduct of the meeting. The Chair should be well versed in those rules. The Chair, for all intents and purposes, makes the final ruling on the rules every time the Chair states an action. In fact, all decisions by the Chair are final unless overruled by the body itself.

Since the Chair runs the conduct of the meeting, it is usual courtesy for the Chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the Chair should not participate in the debate or discussion. To the contrary, the Chair as a member of the body has the full right to participate in the debate, discussion and decision-making of the body. What the Chair should do, however, is strive to be the last to speak at the discussion and debate stage, and the Chair should not make or second a motion unless the Chair is convinced that no other member of the body will do so at that point in time.

### **The Basic Format for an Agenda Item Discussion**

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. And each agenda item can be handled by the Chair in the following basic format:

**First**, the Chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The Chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the Chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

**Third**, the Chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

**Fourth**, the Chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of public speakers. At the conclusion of the public comments, the Chair should announce that public input has concluded (or the public hearing as the case may be is closed).

**Fifth**, the Chair should invite a motion. The Chair should announce the name of the member of the body who makes the motion.

**Sixth**, the Chair should determine if any member of the body wishes to second the motion. The Chair should announce the name of the member of the body who seconds the motion. (It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the Chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the Chair.)

**Seventh**, if the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the Chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the Chair takes a vote. Simply asking for the "ayes", and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain". Unless the rules of the body provide otherwise (or unless a super-majority is required as delineated later in these rules) then a simple majority determines whether the motion passes or is defeated.

**Tenth**, the Chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days notice for all future meetings of this body."

#### **Motions in General**

Motions are the vehicles for decision-making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the Chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words: "I move . . . ." So, a typical motion might be: "I move that we give 10-day's notice in the future for all our meetings."

The Chair usually initiates the motion by either (1) Inviting the members of the body to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the body. "A motion would be in order that we give 10-day's notice in the future for all our meetings." (3) Making the motion. As noted, the Chair has every right as a member of the body to make a motion, but should normally do so only if the Chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

#### **The Three Basic Motions**

There are three motions that are the most common and recur often at meetings:

**The basic motion.** The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a 5-member committee to plan and put on our annual fundraiser."

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion which is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So that if a member makes what that member calls a "motion to amend", but the Chair determines that it is really a "substitute motion", then the Chair's designation governs.

#### **Multiple Motions Before the Body**

There can be up to three motions on the floor at the same time. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to have a 5-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a 5-member committee to plan and put

on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

**First**, the Chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Chair would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

**Second**, if the substitute motion failed, the Chair would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee by 5 members or 10 members). If the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the Chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (5-member committee), or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

#### **To Debate or Not to Debate**

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion):

**A motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**A motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**A motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

**A motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**A motion to limit debate.** The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the body makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a 2/3 vote of the body. Note: that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a 2/3 vote of the body. A similar motion is a motion to object to consideration of an item. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a 2/3 vote.

#### **Majority and Super-Majority Votes**

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a 7-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which, effectively, cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a 2/3 majority (a super-majority) to pass:

**Motion to limit debate.** Whether a member says "I move the previous question" or "I move the question" or "I call the question" or "I move to limit debate", it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a 2/3 vote to pass.

**Motion to close nominations.** When choosing officers of the body (like the Chair) nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a 2/3 vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled, or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a 2/3 vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a 2/3 vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

#### **The Motion to Reconsider**

There is a special and unique motion that requires a bit of explanation all by itself: the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate, perhaps disagreement and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to a re-opener if a proper motion to reconsider is made.

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and by a 2/3 majority, can allow a motion to reconsider to be made at another time.) Second, a motion to reconsider can only be made by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she can make the motion to reconsider (any other member of the body may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the body again and again. That would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time.

#### **Courtesy and Decorum**

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.

The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be: "point of privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

**Order.** The proper interruption would be: "point of order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, "Let's return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers that the agenda has not been followed, the Chair simply reminds the body to return to the agenda item properly before them. If the Chair fails to do so, the Chair's determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

**Special Notes About Public Input**

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the Chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.