

**COUNCIL AGENDA
CITY OF CARTHAGE, MISSOURI
THURSDAY, SEPTEMBER 15, 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 16-37** – An Ordinance authorizing a special use permit for the operation of private helicopter rides at the Church of the Nazarene, 2000 Grand Ave., City of Carthage, Jasper County, Missouri. (Planning and Zoning)
 2. **CB 16-38** – An Ordinance authorizing a special use permit for the operation of a Carnival to be located at The Fair Acres Sports Complex (East George Phelps Blvd.) in the City of Carthage, Jasper County, Missouri. (Planning and Zoning)
 3. **CB 16-39** – An Ordinance authorizing the Mayor to enter into a contract with Blazing Skies Fireworks, LLC, of Joplin, Missouri for fireworks display for October 14, 2016 in conjunction with the 50th anniversary of the Maple Leaf Parade, in the amount of \$2,995.00. (Public Services)
 4. **CB 16-40** – An Ordinance authorizing a special use permit (appeal) for operation of a food truck at 1101 Grand Ave, in the City of Carthage, Jasper County, Missouri. (Planning & Zoning)

12. New Business

1. **CB 16-41** - An ordinance approving a cooperative agreement between the City of Carthage, Jasper County, Missouri, the County of Jasper County, Missouri, and Carthage Special Road District, Jasper County, Missouri for road maintenance, snow removal, and enforcement for roads abutting the Carthage city limits, and authorizing the mayor of the City of Carthage to execute the cooperative agreement for road maintenance, snow removal and enforcement.(Public Works)
2. **CB 16-42** – An Ordinance to amend Section 21 – 144 of the Code of the City of Carthage, City participation in cost of sidewalk improvements. (Public Safety)

13. Mayor's Appointments

- Carthage Affordable Housing Task Force
- Planning, Zoning & Historic Preservation Commission

14. Resolutions

1. **RESOLUTION 1783** – A resolution of the council of the City of Carthage, Missouri authorizing the approval of change order for construction contract. (Public Services)
2. **RESOLUTION 1784** - A resolution approving the declaration of certain materials and pieces of equipment as surplus to the city's needs and authorizing their disposition. (Staff/Public Works)
3. **RESOLUTION 1785** – A resolution authorizing the mayor to sign an acquisition of right-of-way letter to the Missouri Department of Transportation donating right-of-way for the State Route 96 Bridge Replacement Project. (Staff)

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
August 23, 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. Mayor Harris opened the meeting with a moment of silence for the passing of Council Member Steve Leibbrand. Fire Chief Roger Williams gave the invocation and Police Chief Greg Dagnan led the flag salute.

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

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. Collier, to approve the minutes of the August 9, 2016 Council Meeting. Motion carried.

During Citizen's Participation Period: Caleb Stiles, 1101 Grand, was present to discuss the denial of a special use permit by the Planning & Zoning Commission that he had requested for his property. He informed the council that he had requested the permit to allow the operation of a food truck at the location. Hours of operation would be 11:00 a.m. – 3:00 p.m. M-F and 5:00 p.m. – 8:00 p.m. on Saturday. Mr. Stiles had visited with neighbors and there was one letter of opposition returned to the Planning and Zoning Commission. Steve Wilson, 1213 Grand, and Bess Lanyon, 1103 S. Maple, were present to support the request for the Special Use Permit. Kirby Newport, 1826 Missouri Ave., was present to request that the city provide access to council bills prior to council meeting by posting on the city website for transparency.

Mayor Harris explained the MML Conference conflict with the September 13 Council Meeting and requested the meeting be rescheduled to September 15. Mr. Shelfer made a motion, seconded by Mr. Collier, to move the September 13 Council Meeting to September 15. Motion carried.

Mr. Swatsenbarg reported the Budget, Ways and Means Committee was between meetings.

Mr. Shelfer reported the Committee on Insurance/Audit and Claims met on this date in the Council Chambers and approved the claims.

Mr. Rife reported the Public Safety Committee met on August 15. Mr. Rife made a motion, seconded by Mr. Daugherty, to approve road closures at the block of East Centennial between South Main and Grant, and the block of Main between East Chestnut and East 9th Street for the Rally 66 Benefit 5K on September 24 from 7:00 a.m. to 11:00 a.m. Motion Carried. Two bids for the purchase of a tank and fire pump skid unit for the gator were received from Fire Master - \$6,995.00 and Sentinel Emergency Solutions - \$10,842.40. A bid from Feld Fire for \$11,920.00 was received after bid opening. Mr. Rife made a motion, seconded by Mr. Daugherty, to accept the low bid from Fire Master. Motion carried.

Mr. Beckham reported the Public Services Committee was between meetings with the next meeting scheduled for August 29.

Mr. Shelfer reported the Public Works Committee meeting scheduled for August 16 was cancelled, and the next meeting is scheduled for September 6.

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

Mayor Harris reported he had attended the Food Truck Friday event and participated in the dunk tank.

Police Chief Dagnan stated there were an estimated 80,000 people in attendance at Marian Days. There were only 304 officer contacts linked to the event compared to 488 officer contacts during the same time frame for the rest of the city. He commended the Salvation Army and the Nazarene Church for their generosity and help during Marian Days. Mayor Harris presented a plaque to representatives from the Salvation Army, thanking them for their dedication and service to help make Marian Days a success. Representatives from the Nazarene Church were unable to attend the meeting to receive a plaque.

Fire Chief Roger Williams reported that employees David Myers and Ryan Huntley had been actively working to replace batteries in storm sirens.

Mr. Short reported on the following: a meeting with Mark Elliff and a potential client at Myer's Park, a retirement party for Officer David Struberg, a meeting with the Public Works Director and Beth Brooks regarding maintenance at the Over 60 Center, a meeting with the Public Works Director and the engineering firm regarding MoDOT intersection projects with cost estimates being prepared for the Fairlawn project, the Region M performance audit, financial reports for June and July, a letter from the applicant for MHDC financing, and an update on the Certified Local Government program which is being reviewed by the state.

The Committee on Claims filed a report in the amount of \$365,202.29 against the following funds: General Revenue \$91,992.57, Public Health \$2,822.51,

Parks/Stormwater \$4,078.35, Golf Course \$26,879.75, Capital Improvements \$7,040.00, and Payroll \$232,389.11. Mr. Shelfer made a motion, seconded by Mr. Daugherty, to accept the report and allow the claims. Motion carried.

Under old business, CB 16-36, an Ordinance levying general taxes upon real property located within the City of Carthage, Jasper County, Missouri for the year 2016, for general revenue purposes and other purposes, and fixing the rates thereof was placed on second reading followed by a roll call vote of 9 yeas and no nays. Bill passed.

Under new business, CB 16-37, an Ordinance authorizing a special use permit for the operation of private helicopter rides at the Church of the Nazarene, 2000 Grand Ave., City of Carthage, Jasper County, Missouri was placed on first reading with no action taken.

CB 16-38, an Ordinance authorizing a special use permit for the operation of a Carnival to be located at The Fair Acres Sports Complex (East George Phelps Blvd.) in the City of Carthage, Jasper County, Missouri was placed on first reading with no action taken.

CB 16-39, an Ordinance authorizing the Mayor to enter into a contract with Blazing Skies Fireworks, LLC, of Joplin, Missouri for fireworks display for October 14, 2016 in conjunction with the 50th anniversary of the Maple Leaf Parade, in the amount of \$2,995.00 was placed on first reading with no action taken.

CB 16-40, an Ordinance authorizing a special use permit (appeal) for operation of a food truck at 1101 Grand Ave, in the City of Carthage, Jasper County, Missouri was placed on first reading with no action taken. Mr. Swatsenbarg informed the council that the reason this request was denied by the Planning and Zoning Commission was because a similar request had been previously denied to potential buyers and the committee felt it was only fair to treat everyone the same. Mr. Daugherty stated it was possible that the last person wasn't treated fairly and the request should be considered.

Mr. Shelfer made a motion, seconded by Mr. Collier, to approve the Mayor's appointments to the Care Leave Committee, the re-appointment of Tim Hill and Bill Hawkins until August 2018, and the appointment of Kristi Haskew until August 2018. Motion carried.

During closing remarks, Mr. Shelfer noted that Mr. Leibbrand's absence was greatly felt, other council members expressed their condolences and noted he would be missed.

Mr. Daugherty made a motion, seconded by Mr. Chapin, to adjourn the regular session of the Council meeting. Motion carried and meeting adjourned at 8:06 PM.

J. Michael Harris, Mayor

Traci Cox, City Clerk

***OLD
BUSINESS***

COUNCIL BILL NO. 16-37

ORDINANCE NO. _____

An Ordinance authorizing a special use permit for the operation of private helicopter rides at the Church of the Nazarene, 2000 Grand Ave., City of Carthage, Jasper County, Missouri.

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

SECTION I: A public hearing was held by the Planning, Zoning and Historic Preservation Commission August 15, 2016. The Commission determined that a Special Use Permit will conform to the intent and purpose of the Code of Carthage, that neighboring property will not be unnecessarily injured and that substantial justice will be done.

SECTION II: A special use permit for the operation of private helicopter rides is hereby granted to KC Copters of Olathe, Kansas on behalf of Church of the Nazarene for Saturday October 15, 2016, to be located on real estate described as:

The Southeast corner of Fairview and Grand

Commonly known as 2000 Grand Ave., City of Carthage, Jasper County, Missouri.

SECTION III: Said Special Use Permit is granted in accordance with Chapter 25-251 (18) of the Code of the City of Carthage. Said Special Use Permit granted under this section shall automatically terminate at the conclusion of the 2016 Maple Leaf activities. Failure to purchase a merchants license or business license, for those businesses required to purchase such a license, shall also be prima facia evidence of cessation of the permitted use.

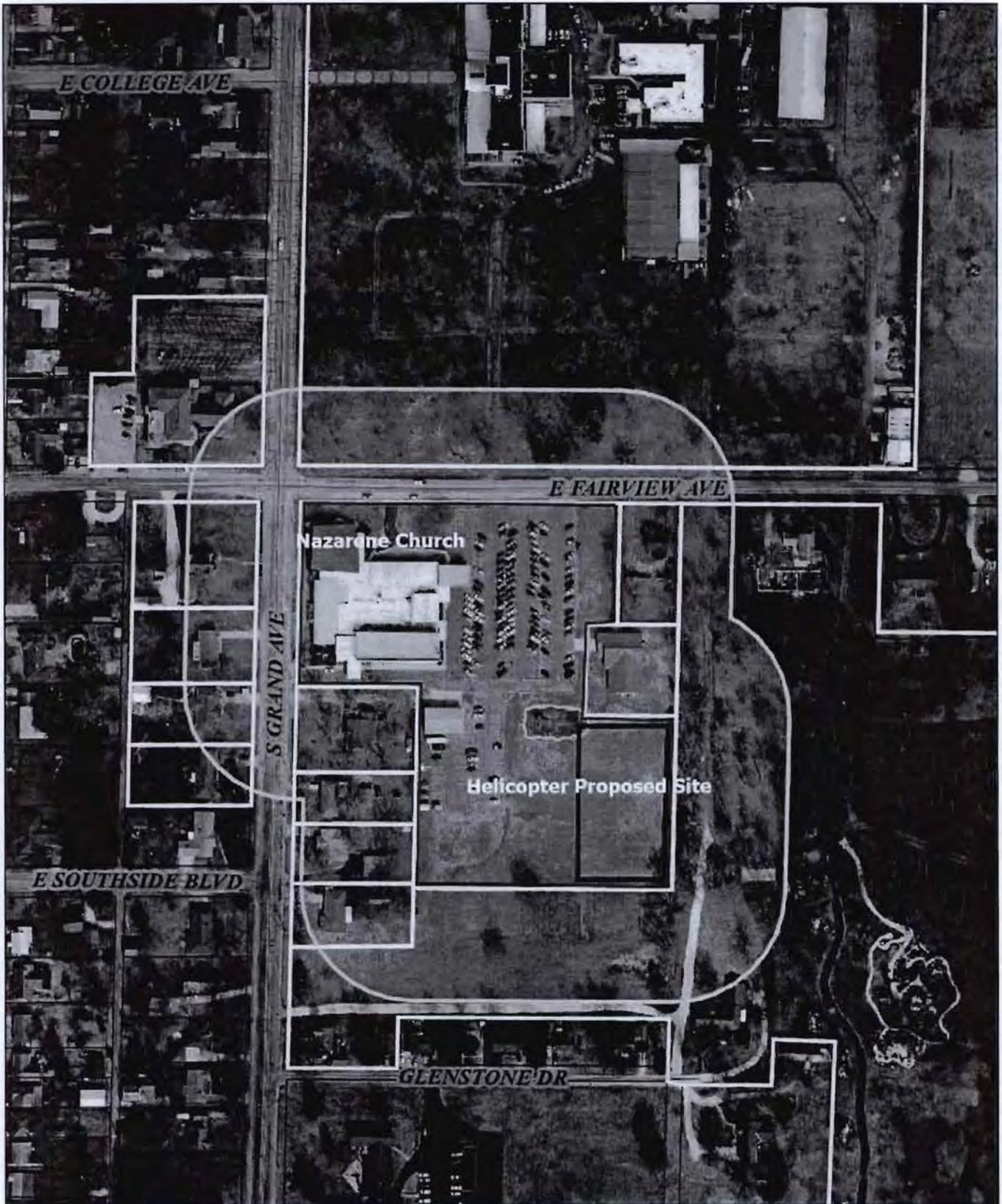
SECTION IV: This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED THIS ____ DAY OF _____, 2016.

J. Michael Harris, MAYOR

ATTEST:

Traci Cox, CITY CLERK



Other Information Comments

We are asking to use this location to allow for helicopter rides for the 50th Anniversary of the Maple Leaf Festival. Hours of operation will be as follows (tentatively):

Sat 10/15/16 8 a.m.-5 p.m.

This location is near the Car Show which is held on the CMC property. This will provide additional events for the Maple Leaf Festival.

Statement of justification

1. The proposed development will not materially endanger the public health or safety.

Considerations: The Company providing the helicopter rides will provide their own staff for securing the area. Additionally, they will adhere to all FAA regulations.

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts.
- Provision of services and utilities, including sewer, water, electrical, garbage collection, and fire protection.
- Soil erosion and sedimentation.
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater

2. The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of special use or class of special uses.

3. The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

Considerations: This is a temporary operation and will not have a lasting impact on the proposed site.

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community as a whole as to justify it regardless of its impact on the value of adjoining property.

4. The proposed development will be in harmony with the area in which it is located.

Considerations: We believe that this is an appropriate location to have the operation as this is an area that hosts softball, baseball and soccer games and is free of power lines.

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

5. The proposed development will be consistent with the City's Comprehensive Plan.

Considerations: This event will provide community goodwill as well as attracting additional sales tax dollars into Carthage.

- Consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.

COUNCIL BILL NO. 16-38

ORDINANCE NO. _____

An Ordinance authorizing a special use permit for the operation of a Carnival to be located at The Fair Acres Sports Complex (East George Phelps Blvd.) in the City of Carthage, Jasper County, Missouri.

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

SECTION I: A public hearing was held by the Planning, Zoning and Historic Preservation Commission August 15, 2016. The Commission determined that a Special Use Permit will conform to the intent and purpose of the Code of Carthage, that neighboring property will not be unnecessarily injured and that substantial justice will be done.

SECTION II: The Commission has recommended, and the City Council does hereby grant and issue a Special Use Permit for the operation of a Carnival in conjunction with the 50th Carthage Maple Leaf Parade from Wednesday October 12, 2016 through Saturday October 15, 2016, located on real estate described as:

CAR MISC S1/2 SW EX RDS & EX COM SW COR SW SW N 58.78' E 30.01' N 324.18' E 15.01' TO POB E 400.19' S 337.97' W 307.93' N 45 DEG W 130.32' N 243.88' TO POB.

Commonly known as The Fair Acres Sports Complex, East George Phelps Blvd., City of Carthage, Jasper County, Missouri.

SECTION III: Said Special Use Permit is granted in accordance with Chapter 25-251 (18) of the Code of the City of Carthage. Said Special Use Permit granted under this section shall automatically terminate at the conclusion of the 2016 Maple Leaf activities. Failure to purchase a merchants license or business license, for those businesses required to purchase such a license, shall also be prima facia evidence of cessation of the permitted use.

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



Beacon™

Jasper County, MO



SPECIAL USE PERMIT PETITION

See Attached Sheet

STATEMENT OF JUSTIFICATION

For each of the five criteria listed below, provide a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Planning, Zoning and Historic Preservation Commission to reach a recommendation, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required criteria are simply suggestions. Applicant should address any additional considerations potentially raised by the proposed development.

Important: Applicant bears the burden of presenting sufficient factual evidence to support findings of fact that allow the Commission to reasonably reach a recommendation. If the applicant fails to meet that burden, the Commission has no choice but to recommend denying the petition.

1. The proposed development will not materially endanger the public health or safety.

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts.
- Provision of services and utilities, including sewer, water, electrical, garbage collection, and fire protection.
- Soil erosion and sedimentation.
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater

2. The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of special use or class of special uses.

3. The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community as a whole as to justify it regardless of its impact on the value of adjoining property.

4. The proposed development will be in harmony with the area in which it is located.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

5. The proposed development will be consistent with the City's Comprehensive Plan.

Considerations:

- Consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.

Signature: *[Handwritten Signature]*

Date: *7/29/16*

Other Information Comments

We are asking to use this very visible location to allow a carnival operation for the 50th Anniversary of the Maple Leaf Festival. Hours of operation will be as follows:

Wed 10/12/16	5-10 p.m.
Thurs 10/13/16	5-10 p.m.
Fri 10/14/17	5-10 p.m.
Sat 10/15/16	12-5 p.m. & 5-10 p.m.

The setup is approximately 200'x300' for rides, games, and concessions and 150'x75' for support vehicles. We are working with the YMCA to possibly use their area for the parking of the support vehicles.

Tentatively, the company would arrive on Sunday, October 9; we are requesting that they undergo inspections from Public Safety and Public Works on Monday, setup Monday and Tuesday, operate Wednesday through Saturday, and breakdown/cleanup Sunday morning. Customers can purchase all-access armbands or pay-as-you-go tickets. They provide their own electricity and trash cans, as well as purchase a City business license and obtain all necessary health permits and safety inspections. Their company sets a curfew for all their employees. Their generator is the only equipment that requires ground stakes, and it creates only two small holes according to the carnival owner. This would be placed off site of the paved parking lot. They also provide fencing around all their rides and do their own cleanup. The Chamber would provide water access, trash service, and portable toilets.

Statement of justification

1. The proposed development will not materially endanger the public health or safety.

Considerations: Inspections will be done by the Public Safety and Public Works Departments prior to the opening of the carnival for the safety of the participants. Additionally, the carnival company will provide fencing around all their rides.

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersection and curb cuts.
- Provision of services and utilities, including sewer, water, electrical, garbage collection, and fire protection.
- Soil erosion and sedimentation.
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater

2. The proposed development will comply with all regulations and standards generally applicable within the zoning district and specifically applicable to the particular type of special use or class of special uses.

3. The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

Considerations: This is a temporary operation and will not have a lasting impact on the proposed site. The carnival company is required to clean up any trash that may result from an event.

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community as a whole as to justify it regardless of its impact on the value of adjoining property.

4. The proposed development will be in harmony with the area in which it is located.

Considerations: We believe that this is an appropriate location to have a carnival as this is an area that hosts softball, baseball and soccer games. During this time, these events will not be occurring.

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.

5. The proposed development will be consistent with the City's Comprehensive Plan.

Considerations: This event will provide community goodwill as well as attracting additional sales tax dollars into Carthage.

- Consistency with the Plan's objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards.

COUNCIL BILL NO. 16-39

ORDINANCE NO. _____

An Ordinance authorizing the Mayor to enter into a contract with Blazing Skies Fireworks, LLC, of Joplin, Missouri for fireworks display for October 14, 2016 in conjunction with the 50th anniversary of the Maple Leaf Parade, in the amount of \$2,995.00.

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

SECTION I: The Mayor of the City of Carthage is hereby authorized to enter into a contract with Blazing Skies Fireworks, LLC, of Joplin, Missouri for fireworks display for October 14, 2016 in conjunction with the 50th anniversary of the Maple Leaf Parade, in the amount of \$2,995.00, a copy of which agreement is attached hereto and incorporated herein as if set out in full.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

J. Michael Harris, MAYOR

ATTEST:

Traci Cox, CITY CLERK

Sponsored by: Public Services Committee

CONTRACT
October 14, 2016
City of CARTHAGE, MO
Fireworks Display

This Contract Agreement, dated effective _____, 2016, is made and entered into by and between The City of Carthage, Missouri ("Consumer") and Blazing Skies Fireworks, LLC ("Contractor").

Business or Company: Blazing 'skies Fireworks, LLC.
Contractor Name: Thomas E. Wilson
Contractor Address: 2018 East Laurel Joplin, Mo 64801
Contractor Phone: 417-439-9674 Contractor Fax: 417-624-5947
Contractor e-mail: blackmarketfireworks@hotmail.com

WHEREAS, the purpose of this contract is to perform a firework display on-site at Carthage, MO, for a Public Display on October 14, 2016;

NOW THEREFORE, in consideration of the terms and conditions contained herein and incorporated and made a part hereof, Consumer and Contractor mutually agree as follows:

1. Scope of Work.

Contractor shall conduct the following services for Consumer, and perform these services according to the specifications below. This body of services shall be referred to as "Display" herein and hereafter.

Contractor shall provide one (1) complete fireworks Displays, to be performed for Consumer on October 14, 2016. Services provided by the Contractor shall be comprehensive for this purpose, and includes:

- Licensed pyrotechnic operator licensed by the State to be in charge of the crew; Crew that is knowledgeable for the safe discharge of the Display;
- Design of a program with fireworks; Transportation to the specified Consumer location; All equipment to conduct Display;
- All pyrotechnic materials; and
- All coordination including obtaining necessary permits and licenses.

(a) Contractor shall prepare Display to release after Dark. The Display location shall be Central Park.

(b) Display shall be approximately 15 minutes in duration.

(c) Contractor shall provide all equipment necessary to fire the Display, including but not limited to, electronic firing boards, racks, mortar boxes and sand.

(d) Contractor shall clean up all large firework debris originating from the Display.

(e) Contractor shall be a Missouri State certified and licensed pyrotechnic operator. Contractor shall provide a Missouri State certified and licensed pyrotechnic operator and assistants on-site

during the Display, to safely discharge the Display.

(f) Contractor shall be independently responsible for all necessary permits and licenses.

(g) Contractor has responsibility to review the Display Site conditions in advance of the event and immediately notify Consumer of any area that causes concern, with sufficient advance notice so that Consumer may correct the deficiency.

(h) Contractor shall have access to the Display Site at reasonable times before the Display in order to set up the Display. Contractor shall coordinate and schedule in advance with Carthage, MO in order to obtain access to the Display Site.

(i) Contractor shall have access to the Display Site at reasonable times before the Display in order to set up the Display. Contractor shall coordinate and schedule in advance with Chamber of Commerce in order to obtain access to the Display Site.

(j) Contractor will provide at its own expense, public liability and property damage insurance coverage, including spectator coverage in an amount not less than \$1,000,000.00 (USD).

2. Compensation.

Fee: Consumer covenants and agrees to pay a combined total sum of \$2,925.00 USD (including tax) to Contractor based upon a per Display rate of \$2,925.00. In consideration of Contractor performing the' event on October 14, 2016, this compensation shall include:

Deposit: \$1,462.50 (USD) shall be due and payable to Contractor after signing of the contract.

Final Payment: A final payment for the remaining balance is due on or before date of Display, and shall not exceed \$1,462.50 (USD).

Method of Payment: Contractor shall submit an invoice in a form approved by Consumer which provides a detailed description.

Compensation for Future Displays: In consideration of "to be determined" Display dates to take place in 2016, compensation shall include:

Deposit: \$ 1,462.50 (USD) shall be due and payable to Contractor after signing contract

Final Payment: A final payment for the remaining balance is due on or before date of Display, and shall not exceed \$1,462.50 (USD).

3. Term of Contract.

The term of this Agreement provides for October 14, 2016.

4. Performance of Work.

Contractor shall perform Display and accomplish such tasks as identified and designated as the responsibilities of Contractor throughout this Contract. Contractor reserves the right of ownership and trade names used in or a product of the pyrotechnic Display to be performed.

5. Responsibility of Consumer.

Consumer shall provide the following at Consumer expense:

- (a) A suitable site to stage the fireworks Display at the identified location, including a firing and fallout zone acceptable to Contractor in which the fireworks and firework debris may be exhibited, rise and fall safely. This site shall be referred to as "Display Site," herein and hereafter;
- (b) Adequate policing, guard protection, roping, fencing and/or other crowd control measures to prevent access of the public not properly authorized by Contractor to enter into the Display Site;

If Consumer fails to comply with the above responsibilities, Contractor shall immediately notify Representative of the specific failures, to allow Representative adequate time to correct the failure. Should Representative fail to reasonably comply with above responsibilities, Contractor shall have no obligation to perform and Consumer shall pay the contract price in full.

Consumer may choose to provide a designated area as a "Spectator Area" and/or an area that Consumer designates for parking vehicles, "Parking Area." In such event, Consumer shall:

- (a) Ensure that the Spectator Area does not infringe on the Display Site;
- (b) Have sole responsibility to insure that the terrain of the Spectator Area and any structures thereon, including but not limited to grandstands and bleachers, are safe for use by spectators;
- (c) Consumer shall have sole responsibility for insuring that the Parking Area is safe for use;
- (d) Consumer shall have sole responsibility to police, monitor and appropriately control spectator access to the Spectator Area and Parking Area and police, monitor and appropriately control the behavior of persons in these areas. It is expressly agreed that Contractor (including operators and crew) shall not inspect, police, monitor or otherwise supervise any area of the site other than the Display Site except to insure that (1) any spectator or Parking Area remain outside the Display Site; and (2) after completion of the Display, that areas are cleared of any live fireworks originating from the program.

6. Delays or Cancellation.

This Display shall occur on October 14, 2016. This completion time is of the essence and shall not be extended because of any unwarranted delays for which the Contractor is responsible.

Both parties shall make every effort to anticipate circumstances that could result in either cancellation or delay. Should a delay or cancellation occur immediately before the Display, the following shall apply:

Contractor Decision to Delay or Cancel for Cause:

Consumer accepts the risk of weather or other causes beyond the control of Contractor that reasonably prevent the Display from being safely discharged on the scheduled date, or cause cancellation of the event, or which may effect or damage equipment that must be placed and exposed a necessary time before the Display. Due to the expertise and responsibilities upon the Contractor for proper and safe discharge of the Display that are stated herein, it shall be Contractor's sole discretion to determine whether the Display may be safely discharged on the scheduled date and at the scheduled time. Should Contractor cancel the performance for safety reasons, including inclement weather, the parties may either:

(a) Delay the Display through mutual agreement. If delayed, an equitable adjustment shall be made for costs, if any, to delay. Such costs may include costs for setup, restocking fees, technical fees, and permit fees; or

(b) Cancel the Display. Should the parties fail to mutually agree to delay the Display, Consumer shall pay 50% of the contract price as quantum meruit for Contractor's services in design, setup, restocking, technician fees, permit fees.

7. Termination by Consumer.

Consumer reserves the right to cancel a Display for a given year, effective at a time of its choosing with or without cause by giving Contractor a written notice.

Should notice by Consumer be provided to Contractor at least Ninety (90) calendar days before the Display date than no adjustment or damages shall be due or payable by either party.

Should such notice be provided to Contractor with less than 90 calendar day notice before the Display Date, than an equitable adjustment shall be agreed upon.

- Consumer shall pay Contractor 50% of total due if termination occurs three or more days before the date of the scheduled Display 0 Consumer shall pay 75% if the cancellation occurs on the date set for the Display but prior to the time physical-setup of the Display actually begins; . Consumer shall pay 100% thereafter.

Contractor shall use its best efforts to minimize the compensation payable under this Contract in the event of such termination.

8. Attorney Fees: In the event either party brings suit to enforce the terms of this Contract, or arising from breach of this Contract, the prevailing party shall be entitled to its costs and attorney's fees for brining or defending the action.

IN WITNESS WHEREOF, the Consumer accepts this Agreement Contract:.

Consumer or Representative:
LLC:

Blazing Skies Fireworks,

Printed Name: _____

Printed Name: _____

Dated: _____

Dated: _____

ATTEST:

Traci Cox, City Clerk

PUBLIC SERVICES COMMITTEE

January 4, 2016
Park Department Office
521 Robert Ellis Young Drive

Public Services Committee Members Present; Steve Leibbrand, Kirby Newport, Jason Shelfer and Brady Beckham.
Staff Present; Tom Short and Alan Bull.

Non-Members Present; Mayor Harris, John Hacker, Roger Williams and Mary Jo Little.

At 5:15 P.M. Mr. Leibbrand called the meeting to order.

Mr. Shelfer moved to approve minutes from the December 7, 2015 meeting. Motion carried.

Public participation

NONE

Old Business:

NONE

NEW BUSINESS:

a) Consider and discuss possible fireworks show in Central Park- Ms. Little approached the Committee with a request to have a fireworks show in Central Park the night before the Maple Leaf Parade. This year marks the fiftieth anniversary of the parade and the thought is this is a one-time thing that will not be requested again. The proposed shooter has looked at the site and determined can be safely handled. Seventh Street and Chestnut Street would have to be closed during the show. Mr. Williams discussed crowd control and the need to keep people out of the park. There was discussion regarding the clean-up with the Mayor suggesting we work with the Crisis Center. Ms. Little stated the Chamber would handle that and make sure it is cleaned-up correctly. The Committee discussed any fire hazard issues and the fact that it could be dry that time of year. Also, the Committee felt the Fire Chief should have the final say as to whether the show should happen or not depending on weather and other conditions. When asked about cost Ms. Little stated they really didn't have an idea but if approved would begin fund raising. It was mentioned that three to five thousand would probably be a pretty good show. Mr. Williams thought there might need to be a time limit such as ten minutes on the show. Parking and viewing areas were also discussed by the Committee.

Mr. Newport moved to recommend to Council allowing the fireworks in Central Park on the Friday before the Maple Leaf Parade contingent on the City insurance carriers approval, Public Safety's agreement, clean-up is provided by the Chamber and the City Fire Chief is given the final say on the shooting. Motion carried.

b) Consider and discuss pool audit- The Committee had looked through the audit and discussed several issues within the audit. The key discussion was whether the City would leave the pool as is, spend significant amounts to do repairs or work towards a new facility. There was discussion on what items needed done to satisfy any legal problems, repairs needing to be done to increase safety and any ADA needs that should be addressed. The Mayor spoke about the possibility some day of constructing a new pool, and if the City spent a huge amount of funds on the existing pool it would probably not have any opportunity to later construct an aquatic center. After much discussion on the issue the Committee and staff agreed to look at items needing immediate attention and work on funding these without closing the pool. Mr. Bull and Mr. Short both explained this would be addressed in the very near future through the budget process.

STAFF REPORTS

City Administrator-Tom Short

Mr. Short reported on the golf revenues and rounds. The month of December was better than the last few years and helped to push projected numbers into the positive column. The total rounds are now a little over 2% ahead of projections and revenue is a little over .5% ahead of projections.

Mr. Short also reported on a possible County buy-out of flooded property in the Walnut Bottoms area. Mr. Short stated he would be attending the County Commissioner's meeting the following day to see what they had in mind.

Park Administrator-Alan Bull

Mr. Bull reported Kellogg Lake had actually come through the flood with very little damage. No asphalt was damaged, no trees were lost and the disc golf baskets were unharmed. The City did lose a couple of picnic tables and the two porta johns were also washed downstream.

Mr. Beckham reported there was a clean-up day scheduled at Walnut Bottoms Trail for January 17. Mr. Beckham also asked Mr. Bull if Walnut Bottoms could be added to the monthly park report. Mr. Beckham also inquired about discussing another item on the park improvement list at the next meeting. Mr. Short and Mr. Bull stated they would have something on the next agenda for discussion.

Meeting adjourned at 6:30 P.M.

COUNCIL BILL NO. 16-40

ORDINANCE NO. _____

An Ordinance authorizing a special use permit (appeal) for operation of a food truck at 1101 Grand Ave, in the City of Carthage, Jasper County, Missouri.

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

SECTION I: A special use permit for the operation of a food truck by Caleb Stiles to be located on real estate 1101 S Grand Ave.

SECTION II: Said special use permit is granted in accordance with the Code of the City of Carthage.

SECTION III: 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: Planning & Zoning Commission

The Honorable Michael Harris
City Hall
Carthage, Missouri

The Honorable Michael Harris,

At the Meeting of the Planning and Zoning, Historical Preservation Committee on August 15, 2016, the following agenda item was addressed.

1101 Grand-Request approval to operate The Lunch Box Truck business

This property is owned by Caleb Stiles. The action requested was for a Special Use Permit.

The Planning and Zoning, Historical Preservation Committee voted to Deny this request for a Recommendation to the City Council for a Special use Permit.

The Committee vote was 3 for Denying the Request and 2 for approving the request.

The following points were discussed which led to this decision.

- One resident within the “notification” area spoke against the use of the property as a commercial enterprise while zoned Residential.
- A Citizen who previously has requested a rezoning of the property to allow for a business and was denied, questioned the Special Use Permit to circumvent Zoning.
- The Lunch Box Trucks are represented in an ordinance that specifically allows their operations in approved locations in the City. This ordinance did not address Food Truck operation in Residential areas.
- Concerns were mentioned about allowing Special Use Permits to replace the Zoning process and allow inappropriate uses in Residential areas of the City.
- Home businesses tend to bypass regulations that must be adhered to in properly zoned business areas.

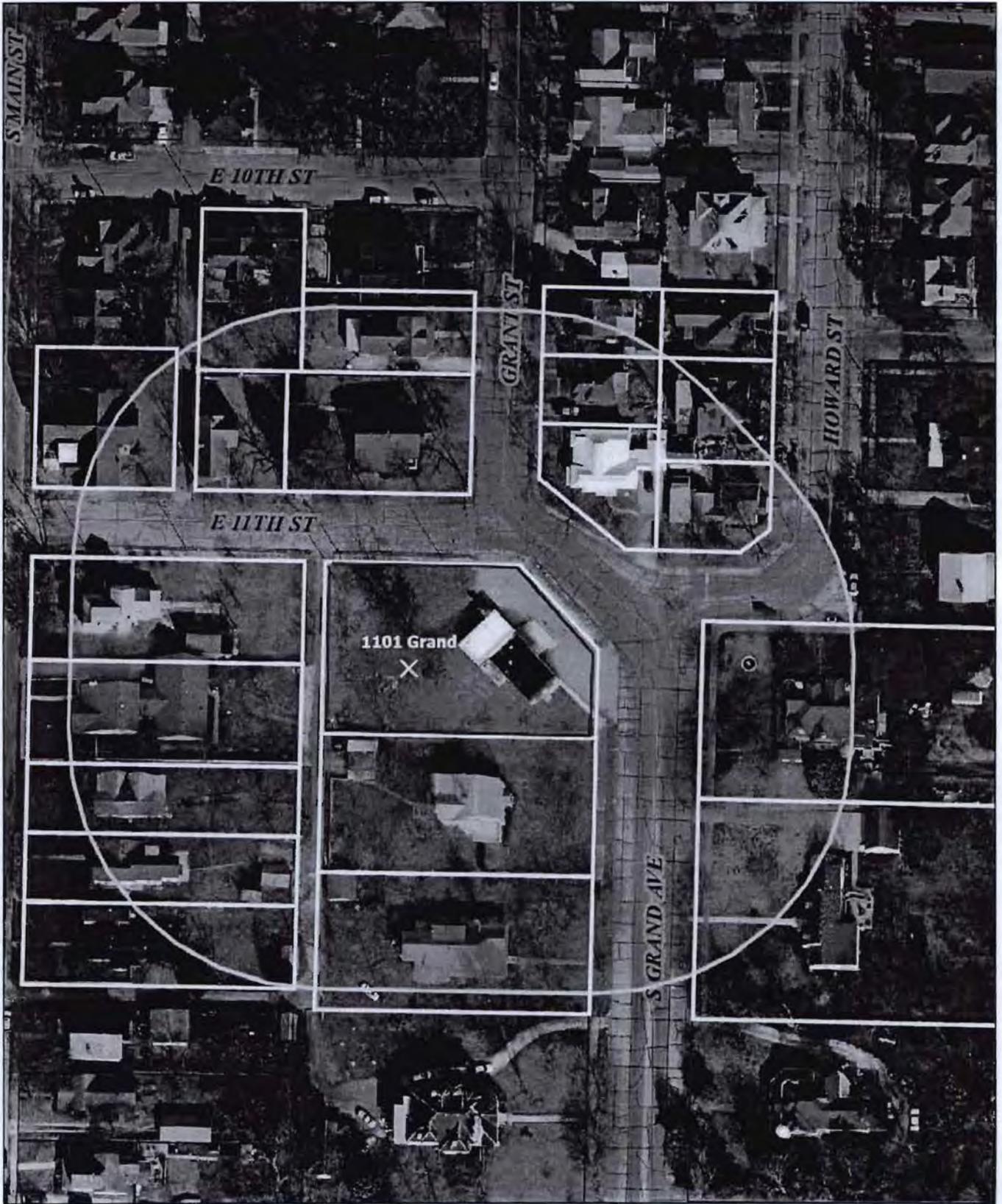
Based on these specific points and other more general discussion the committee voted to Deny the Special Use Permit recommendation to the City Council.

Mr. Stiles was present at the meeting and informed of the appeal process. It is anticipated that he will be on the agenda at the next Council meeting.

Respectfully,

Harry Rogers,

Planning and Zoning, Historic Development Committee



Special Use Permit Petition Statement of Justification

1. The proposed development will not materially endanger the public health or safety.

The proposed use of the building will be for residential/business purposes. Should not see any issues with traffic coming or going as this property had business traffic for over 40 years. All utility systems are to city code.

2. The proposed development will comply with all regulations and standards generally applicable with the zoning district and specifically applicable to the particular type of Special Use or class of special users.

Phase 1 is to complete living quarters. Phase 2 is to operate 'The Lunch Box Truck' business and support our family.

3. The proposed development will not substantially injure the value of adjoining property, or is a public necessity.

The building has been newly renovated with finest raw materials inside and outside. Great addition to the surrounding and adjoining property.

4. The proposed development will be in harmony with the area in which it is located.

Businesses located at this location all have been contributing factors throughout history. Service type businesses. Please note: The entire building has taken on a bright and clean look. Caleb and Stacey have proven that they are quality and concerned business and growth-oriented individuals.

5. The proposed development will be consistent with the City's Comprehensive Plan.

The standards will be met and adhere to the Carthage Code of Ordinances and Comprehensive Plan. All requirements will be met to operate under land use classifications.

***NEW
BUSINESS***

AN ORDINANCE APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI, THE COUNTY OF JASPER COUNTY, MISSOURI, AND CARTHAGE SPECIAL ROAD DISTRICT, JASPER COUNTY, MISSOURI FOR ROAD MAINTENANCE, SNOW REMOVAL, AND ENFORCEMENT FOR ROADS ABUTTING THE CARTHAGE CITY LIMITS, AND AUTHORIZING THE MAYOR OF THE CITY OF CARTHAGE TO EXECUTE THE COOPERATIVE AGREEMENT FOR ROAD MAINTENANCE, SNOW REMOVAL AND ENFORCEMENT.

WHEREAS, annexation is essential to the City's growth, vitality, and economic well-being which ensures that development of such territory meets minimal standards designed to protect property values and the health, safety, and general welfare of the inhabitants of both the territory and the City, and ensures that the territory and its inhabitants are provided adequate levels of services including the transportation network, and

WHEREAS, the purposes of the City's Annexation Policy and Land Use Plan are to minimize conflicts between adjacent uses and maximize the efficiency of the transportation network, and generally aspire to create a livable environment for the citizens of the City, and

WHEREAS, annexations generally follow existing roads and utilities in order to minimize the public expense for extension of main or service lines and the transportation network, and

WHEREAS, annexation in the City of Carthage has occurred sporadically with prior annexations annexing portions of public roads, streets or highways and the adjacent rights-of-way, and

WHEREAS, it is in the best interest of the City of Carthage, the County of Jasper, and the Carthage Special Road District, Missouri to enter into this agreement for road maintenance, snow removal and enforcement in order to increase efficiency and reduce costs, and

WHEREAS, the City is authorized to enter into cooperative agreements with other political subdivisions pursuant to Sections 70.210 to 70.325 of the Revised Statutes of Missouri; and

WHEREAS, Section 70.230 of the Revised Statutes of Missouri provides that the City may enter into such cooperative agreements by ordinance duly enacted.

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

SECTION 1. That The Cooperative Agreement for road maintenance, snow removal and enforcement on various roads as further specified on Exhibits A, B & C between the City of Carthage, Jasper, Missouri, Jasper County, Missouri, and the Carthage Special Road District, Jasper County, Missouri

appended hereto and made a part hereof, is hereby approved and the Mayor is hereby authorized and directed to execute said agreement on behalf of the City of Carthage, Missouri.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

J. Michael Harris, Mayor

ATTEST:

Traci Cox, City Clerk

COOPERATIVE AGREEMENT FOR ROAD MAINTENANCE, SNOW REMOVAL AND ENFORCEMENT

This Agreement is entered into this _____ day of _____, 2016, by and between the City of Carthage, Jasper County, Missouri, a municipal corporation (hereinafter "City"), the County of Jasper, Missouri, a county of the first classification (hereinafter "County") and the Carthage Special Road District, Jasper County, Missouri ("District").

WHEREAS, Sections 70.210 to 70.325 of the Revised Statutes of Missouri authorize political subdivisions to enter into cooperative agreements to provide services; and

WHEREAS, the City, County and District deem it to be in their best interests to enter into this agreement for road maintenance, snow removal and enforcement in order to increase efficiency and reduce costs; and

WHEREAS, the general location of the affected City and County roads and streets is described in the attached lists and map, marked Exhibits A, B and C respectively; and

WHEREAS, the City, County and District find that by entering into this agreement the City, County and District will ensure that the roads serving their citizens are adequately and efficiently maintained, cleared of snow and, administrated.

NOW THEREFORE, in consideration of the mutual covenants and promises herein contained, it is hereby agreed as follows:

1. The City shall remove snow and ice from, and maintain and administrate those designated roads in accordance with Exhibits A, B & C attached hereto and incorporated herein, pursuant to its snow removal policies.
2. The County shall maintain and administrate those designated roads in accordance with Exhibit A, B & C attached hereto and incorporated herein.
3. The District shall maintain and administrate those designated roads in accordance with Exhibit A, B & C attached hereto and incorporated herein.
4. Maintenance of the roads and streets shall include, but not be limited to, the following work items:

Crack sealing.

Pot hole patching.

Full depth patching.

Road shoulder repair including grading, and other related activities.

Culvert repairs.

Ditch work.

Weed and brush control.

Trash and litter removal.

Traffic control device implementation.

Traffic control device maintenance and repair.

As part of this Agreement, each party shall maintain present traffic control devices. When additional traffic control devices are needed, the City, County and District shall collaborate to determine the appropriate traffic control devices to be installed. The government entity with jurisdiction under law for traffic control shall pay for and install such traffic control devices.

Snow and ice removal responsibilities and duties shall include the following:

1. The designated roads and streets in the city's regular snow and ice removal procedures, pursuant to City policy.
2. Prioritizing the clearing of the designated roads and streets by considering traffic volumes and speed limits on said roads and streets, pursuant to City policy.
3. Employing those materials and equipment normally used by the city in its snow and ice removal operations, pursuant to City policy.
4. The streets/public works departments or road districts of all parties shall cooperate in order to provide a reasonable safe roadway system by reporting any traffic or safety hazards that are observed through routine road and street inspections to the party having jurisdiction over the road and street where such traffic or safety hazard is located.

Capital improvements, including but not limited to, resurfacing, curb and gutter, realignment, culvert replacement, street lighting or other major construction projects shall remain the responsibility of the party with jurisdiction under law for traffic control over the road and/or streets.

To the extent permitted by law, each party agrees to indemnify, defend, and hold harmless the other parties, its agencies, boards, officers, agents and employees for any claims, causes of action or damages arising from the other party's maintenance of roads described in Exhibits A, B & C that's under the indemnifying party's legal jurisdiction.

Each party hereto shall be responsible for issuing any special use permits or other permits that may be required for driveways or utilities within its respective jurisdictions.

If any party believes that it would be advantageous to amend this Agreement because of substantial annexations or de-annexations by the City, the parties agree to consider making the appropriate amendments. Upon agreement to the modifications by each party, modifications will be made to Exhibits A, B & C.

The execution of the Agreement shall be authorized by each party's governing body.

This Agreement shall be in effect upon its execution by the person authorized to do so for each party and hereafter for a period commencing on the date of execution and continuing through the 31st day of December, 2016 and will renewed for successive annual periods. In the event any party provides sixty (60) days written notice to each other party prior to the end of this Agreement, it shall renew automatically for successive terms of one year each.

CITY OF CARTHAGE, MISSOURI
A Home Rule City

By: J. Michael Harris,
Mayor, City of Carthage

ATTEST:

Traci Cox, City Clerk

JASPER COUNTY COMMISSION
A County of the First Classification

By: John Bartosh
Presiding Commissioner

ATTEST:

Secretary

CARTHAGE SPECIAL ROAD DISTRICT

By: David Troyer
Special Road Commissioner

ATTEST:

Secretary

Exhibit A

(Roads to be maintained/administered by City per limits delineated on map Exhibit "C")

EAST/WEST Roads

1. W. Mound Street - Baker Blvd. to I-49 Interchange.
2. Oak Street (Old Route 66) - Robert Ellis Young Dr. to Country Club Rd.
3. Robert Ellis Young Dr. (West Macon/Morgan Heights Rd.) - Oak Hill Rd. to Wilson Rd.
4. West Fairview Ave. – Hazel Ave. to Thompson St.
5. East 13th Street – Buena Vista St. to Railroad tracks.
6. West Elk – Hazel Ave. to Missouri Ave.
7. West Airport - Hazel Ave. to Missouri Ave.
8. East Fir – Hazel Ave. to East City Limits.
9. West Fir – Approximately 990 ft. west of Russell Smith Way intersection to Western City Limits.
10. West Budlong Street – Oak Hill Rd. To Robert Ellis Young Dr.

NORTH/SOUTH Roads

11. Robert Ellis Young Drive – Macon St. to W. Budlong St.
12. Wilson Road – All.
13. Alexandra Drive – Madelyn Dr. to Wilson Dr.
14. Piper Drive – All.
15. South Baker Blvd. – Hannah Ln. to W. Budlong St. and 17th St. to Fairview Ave.
16. Hazel Avenue – Fairview Ave. to Fir Rd.
17. South Chapel Road – W. Fir Rd. to South side of Chapel Estates.
18. South Chapel Road – W. 34th St. to Marigold St.
19. South Grande Avenue – Hwy. 571 to S. City Limits line.

EXHIBIT B

(Roads to be maintained/administered by County/District per limits delineated on map Exhibit "C")

EAST/WEST Roads

1. West Juniper Road – City Limits East.
2. Jackpine Road - All
3. West Budlong – Baker Blvd. to Oak Hill Rd.
4. West Miller – Baker Blvd. to Oak Hill Rd.
5. Morgan Heights Rd. – Wilson Rd. to Country Club Rd.

NORTH/SOUTH Roads

6. Country Club Rd. - All
7. All other Streets or Roads not specifically designated in Exhibits A, B or C and abutting, or adjacent to the Carthage City Limits.

AN ORDINANCE TO AMEND SECTION 21 - 144 OF THE CODE OF THE CITY OF CARTHAGE, CITY PARTICIPATION IN COST OF SIDEWALK IMPROVEMENTS.

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

SECTION I: Section 21-144 of the Code of Carthage is hereby repealed and the following enacted in lieu thereof:

Sec. 21-144. - City participation in cost of sidewalk improvements.

The purpose of this program is to encourage property owners to replace or install residential and/or commercial sidewalks within the City of Carthage.

(a) The city shall reimburse, subject to the availability of funds in the fiscal year construction is completed, a portion of the costs, to the owner of any lot or tract, who shall construct, rebuild, or reconstruct in compliance with this article, a sidewalk lying along and adjacent to his said property. Reimbursement to said owners shall be made as follows: Three dollars (\$3.00) per square foot of new sidewalk constructed in accordance with city specifications as defined in section 21-125(a), (b), (c), (d), and (e) provided that all work has been accepted and reimbursement approved by the Public Works Director. Any one (1) owner or owners shall not receive more than three thousand dollars (\$3,000) reimbursement per fiscal year, except where said owners meet all requirements for reimbursement for additional tracts of land and providing that reimbursement for said additional tracts of land shall not be made until reimbursement has been made during the current fiscal year to all owners entitled to reimbursement under this section as to one (1) tract of land.

(b) All construction, reconstruction, rebuilding, or repair of sidewalks less than full width as required in section 21-125, shall not be eligible for reimbursement of funds.

(c) All sidewalks constructed by order of the city council as provided in section 21-132, shall not be eligible for reimbursements, unless specifically authorized by a council bill.

(d) All sidewalks constructed, repaired, or reconstructed by order of the city engineer in compliance with this article, where a special tax bill has been issued, shall not be eligible for reimbursements, unless said special tax bill has been paid in full within thirty (30) days after date of issuance.

(e) The program is not available to property owners where sidewalks are required as a part of the City's sub-division or development standards, i.e., existing or new undeveloped lots.

(f) The owner may choose to hire a contractor with a valid Carthage business license or may choose to conduct the work himself or herself.

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

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(Ord. No. 99-52, § II, 6-22-99; Ord. No. 02-31, § I, 6-4-2002

***MAYOR'S
APPOINTMENTS***

Mayor's Appointments

September 15, 2016

Carthage Affordable Housing Task Force 4 Year Term after Reappointment – 13 Members – Meets on Call

<u>NAME</u>	<u>PHONE</u>	<u>ADDRESS</u>	<u>APPOINTED</u>	<u>EXPIRES</u>
Larry Graham	358-8896	Assembly of God	09/26/2000	Sept. 2020
Bud Rogers	358-1802	Economic Security	09/28/2004	Sept. 2020
Jeff Neely	358-8014	Neely Construction	09/26/2000	Sept. 2020
Chad Reed	358-1445	C & M Electric	09/28/2004	Sept. 2020
Buddy Garner	358-7898	G & G Construction	10/14/2008	Sept. 2020
Mark Simpson	358-5592	Simpson Sheet Metal	10/14/2008	Sept. 2020

Planning, Zoning & Historic Preservation Commission 4 Year Term– 7 Members – Meets 3rd Monday-5:15 PM Council Chambers

<u>NAME</u>	<u>PHONE</u>	<u>ADDRESS</u>	<u>APPOINTED</u>	<u>EXPIRES</u>
Abbie Almandinger*	793-6589	1220 S. Main	09/15/2016	Feb. 2018

(replacing appointment of Shane Moore)

RESOLUTIONS

RESOLUTION NO. 1783

**A RESOLUTION OF THE COUNCIL OF THE CITY OF CARTHAGE, MISSOURI
AUTHORIZING THE APPROVAL OF CHANGE ORDER FOR CONSTRUCTION
CONTRACT.**

WHEREAS, change orders which are revisions to a construction contract are an integral part of construction contracts administered by the City; and

WHEREAS, decisions on change orders must often be made in a timely manner to allow the contractor to continue with the work with a minimum of administrative delay; and

WHEREAS, no payment shall be made or obligation incurred against any allotment or appropriation except in accordance with appropriations duly made and unless there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable; and

WHEREAS, the City of Carthage has established a formal policy and procedure which allows the approval of change orders; and

WHEREAS, the proposed Change Order meets the policy guidelines and has been reviewed and recommended by the appropriate staff and parties to the contract;

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF CARTHAGE, JASPER COUNTY, MISSOURI, that Attachment Change Order Number Two (2), Bicycle Route, is hereby approved.

PASSED AND APPROVED THIS ____ DAY OF _____, 2016.

Attest:

J. Michael Harris, Mayor

Traci Cox, City Clerk

Sponsor: Public Services Committee

CHANGE ORDER NO. 2

STREETWISE, INC
 4600 E. 142ND STREET
 GRANDVIEW, MO 64030

BIKE ROUTES
 CARTHAGE, MISSOURI
 AUGUST 12, 2016

Dear Sir:

This change order is issued to authorize a change in the scope of contractual obligations and to revise the contract price in accordance thereof.

<u>Item</u>	<u>ADD/Ded</u>	<u>Description</u>	<u>Unit</u>	<u>Qty.</u>	<u>Unit Price</u>	<u>Extended Total</u>
1	ADD	PAVEMENT MARKING (BICYCLE)	EA	305	\$ 85.00	\$ 25,925.00
2	ADD	SIGN D11-1 NEW MOUNT (W/ NEW POST)	EA	36	\$ 250.00	\$ 9,000.00

Total ADD, per Change Order #2	\$ 34,925.00
Total ADD, per Change Order #1	\$ 43,125.16
Original Contract Amount	\$ 38,476.44
Revised Contract Amount, per Change Order #2	\$ 116,526.60

ACCEPTED BY ENGINEER:
 Anderson Engineering, Inc.
 Jason Eckhart, P.E., Vice President

By: Jason Eckhart
 Date: August 12, 2016

ACCEPTED BY OWNER:
 City of Carthage, MO
 J Michael Harris, Mayor

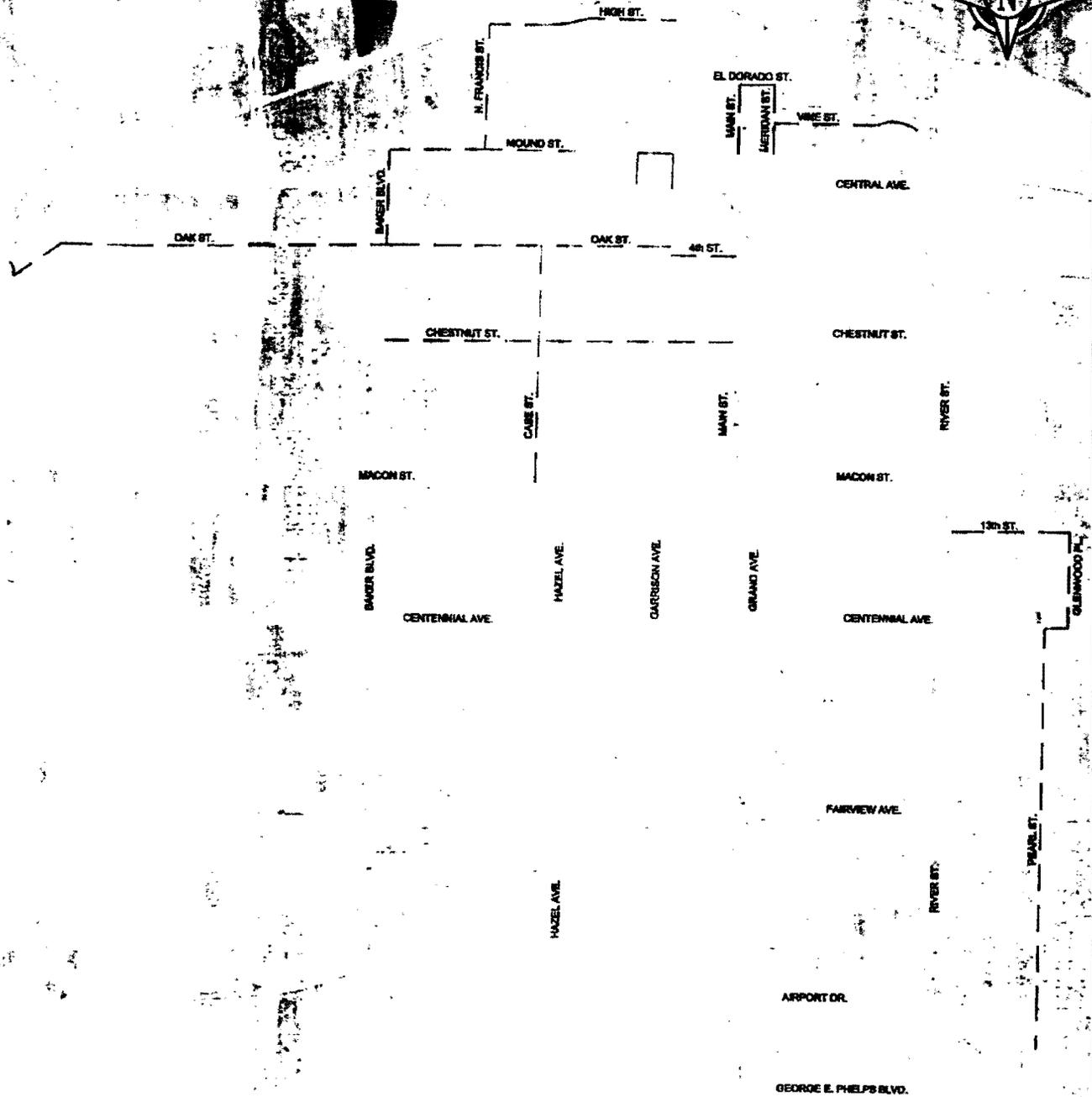
By: _____
 Date: _____

ACCEPTED BY CONTRACTOR:
 Streetwise, Inc.
 Printed Name: _____

By: [Signature]
 Date: 8/12/16

ACCEPTED BY OWNER:
 City of Carthage, MO
 Zeb Carney, Public Works Dir.

By: _____
 Date: _____



----- MARKING AREAS

CHANGE ORDER NO.2
FOR BICYCLE ROUTE
CARTHAGE, MISSOURI

ANDERSON 
ENGINEERING, INC.
ENGINEERS • SURVEYORS • LABORATORIES • DRILLING

RESOLUTION NO. 1784

A RESOLUTION APPROVING THE DECLARATION OF CERTAIN MATERIALS AND PIECES OF EQUIPMENT AS SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING THEIR DISPOSITION.

WHEREAS, City Department Heads exercise direct supervision over inventories of supplies, and the sale, trade, or disposition of surplus supplies and equipment belonging to the City; and

WHEREAS, the Purchasing Officer, is responsible (with Council approval) for the disposition or sale of salvage, obsolete, or surplus materials, to prevent deterioration and value losses of no longer used materials, and to reduce storage costs; and

WHEREAS, City's Department Heads have submitted items of said obsolete or surplus materials to the respective City Council Standing Committee for review and consideration of declaring such items as surplus or obsolete.

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

That a 2008 Chevrolet Impala Sedan (Unit #40), VIN# 2G1WB55KX89213009, Mileage 29,775, is determined and declared to be obsolete and surplus to the City's needs and is authorized for disposition through competitive sealed bids.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

J. Michael Harris, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Staff/Public Works Cmte.

RESOLUTION NO. 1785

A RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN ACQUISITION OF RIGHT-OF-WAY LETTER TO THE MISSOURI DEPARTMENT OF TRANSPORTATION DONATING RIGHT-OF-WAY FOR THE STATE ROUTE 96 BRIDGE REPLACEMENT PROJECT.

WHEREAS, the Missouri Department of Transportation (MoDOT) is in the process of replacing the bridges on State Route 96 in the City of Carthage, and;

WHEREAS, MoDOT has had to shut down the bridge over the railroad tracks earlier than planned due to safety concerns, and;

WHEREAS, the City owns property needed by MoDOT for construction of the project, and;

WHEREAS, because of the benefits to be derived from the project, the City can help accelerate the project by donating its required right-of-way to MoDOT,

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

That the Mayor of the City of Carthage is hereby authorized to sign the Acquisition of Right-of-Way letter (attached) donating right-of way to MoDOT, and to execute any other document(s) resulting therefrom.

PASSED AND APPROVED THIS _____ DAY OF _____, 2016.

J. Michael Harris, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Staff

Missouri Department of Transportation

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.

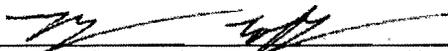
We are hopeful that, because of the benefits to be derived from the project, we can reach an agreement with you to donate the required land and/or property rights to accomplish the proposed construction. Should you choose to donate, we would appreciate your signing this letter, waiving your right to 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:


Randy Coffey, SW District Right of Way

ACCEPTED BY PROPERTY OWNER

Representative for the City of Carthage

Date

Title



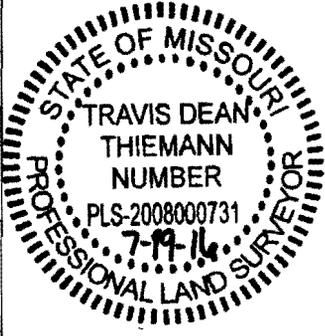
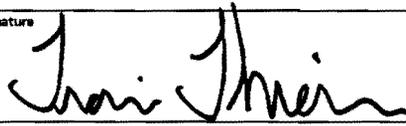
Our mission is to provide a world-class transportation experience that delights our customers and promotes a prosperous Missouri.

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	
Professional Land Surveyor				
Print Name Travis Thiemann	MO PLS Number 2008000731			
Signature 	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.

ANY WORK INDICATED ON THE PLANS THAT EXTENDS BEYOND THE PROJECT LIMITS IS CONSIDERED INCIDENTAL TO AND A PART OF THE CONSTRUCTION OF THIS PROJECT.

EXISTING AND CONSTRUCTED ENTRANCES MAY BE WIDENED TO A MAXIMUM OF 60 FT. BY PERMIT, UNLESS OTHERWISE NOTED.

UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN PLOTTED FROM AVAILABLE SURVEY AND RECORDS. THE COMMISSION DOES NOT WARRANT THE LOCATIONS OF THESE FACILITIES AS PRECISE. IT IS POSSIBLE THERE MAY BE OTHERS. THE EXISTENCE OF WHICH IS PRESENTLY NOT KNOWN OR SHOWN. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXISTENCE AND PRECISE LOCATION OF ALL FACILITIES AND TO AVOID DAMAGE. SEE THE JOB SPECIAL PROVISIONS FOR A LIST OF UTILITY COMPANIES ON OR WITHIN THE VICINITY OF THE PROJECT LIMITS.

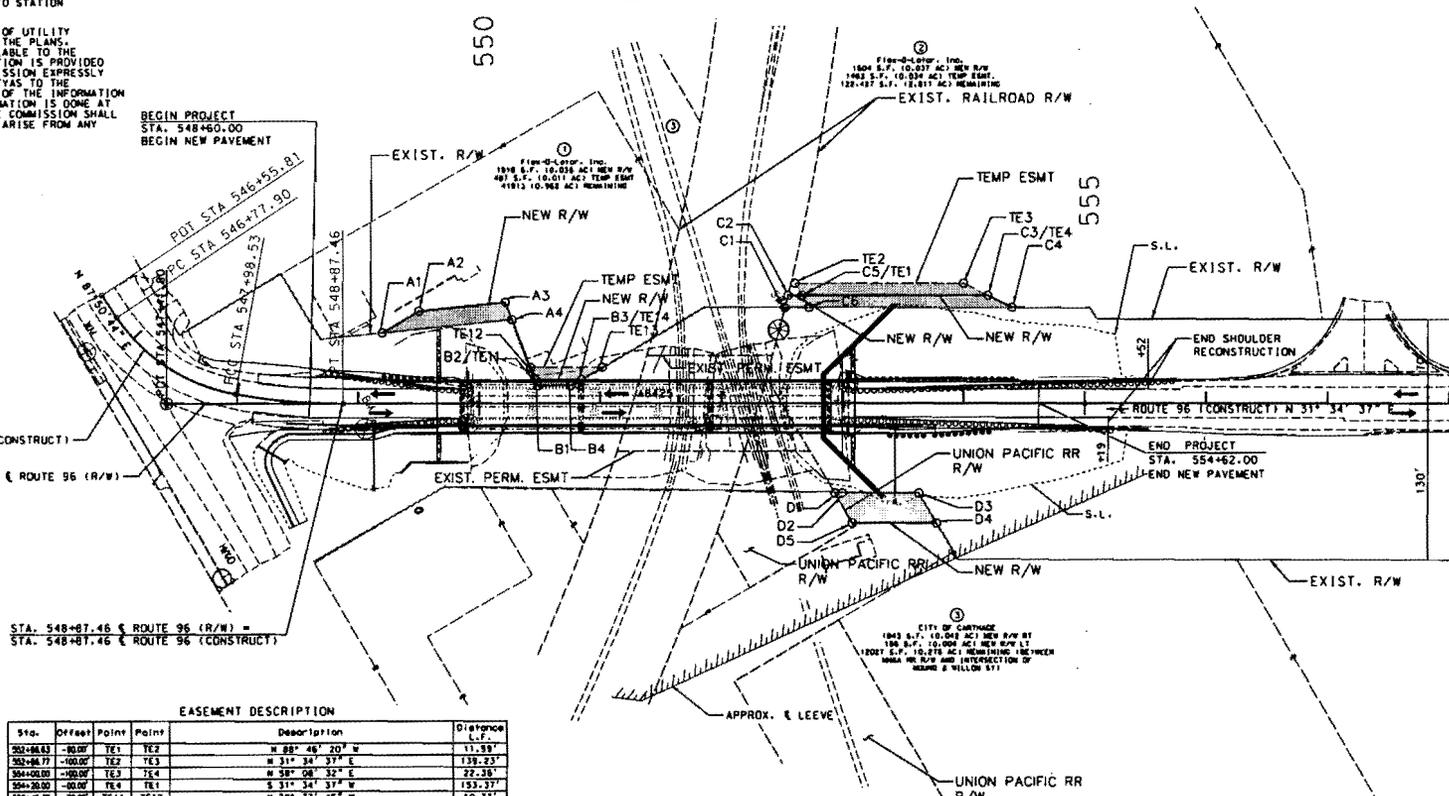
RIGHT-OF-WAY LIMITS FOR THIS PROJECT EXTENDS INTERMITTENTLY FROM STATION 549+20.00 TO STATION 554+80.00. A DISTANCE OF 0.106 MILES.

THE EXISTENCE AND APPROXIMATE LOCATION OF UTILITY FACILITIES KNOWN TO EXIST, AS SHOWN ON THE PLANS, ARE BASED ON THE BEST INFORMATION AVAILABLE TO THE COMMISSION AT THIS TIME. THIS INFORMATION IS PROVIDED BY THE COMMISSION "AS-IS" AND THE COMMISSION EXPRESSLY DISCLAIMS ANY REPRESENTATION OR WARRANTIES TO THE COMPLETENESS, ACCURACY, OR SUITABILITY OF THE INFORMATION FOR ANY USE. RELIANCE UPON THIS INFORMATION IS DONE AT THE RISK AND PERIL OF THE USER AND THE COMMISSION SHALL NOT BE LIABLE FOR ANY DAMAGES THAT MAY ARISE FROM ANY ERROR IN THE INFORMATION.

Sta.	Offset	Point	Point	Description	Distance L.F.
549+20.00	-36.00	A1	A2	N 00° 24' 11" E	35.06'
549+20.00	-72.00	A2	A3	N 23° 44' 10" E	71.73'
549+20.00	-94.50	A3	A4	S 79° 36' 31" E	19.55'
549+27.00	-70.00	A4	A1	E 23° 44' 02" W	107.54'
549+48.46	-14.87	B1	B2	N 79° 35' 49" W	5.76'
549+48.38	-30.00	B2	B3	N 31° 34' 37" E	38.25'
549+48.63	-30.00	B3	B4	S 1° 07' 32" W	10.25'
549+75.00	-14.87	B4	B1	S 31° 12' 45" W	27.34'

Sta.	Offset	Point	Point	Description	Distance L.F.
550+52.56	-80.00	C1	C2	R=181.52' - Length of Curve 10.29'	10.29'
550+52.56	-72.00	C2	C5	Chord Bearing N 44° 42' 17" W - Length 10.29'	10.29'
550+50.00	-90.00	C2	C5	N 31° 34' 37" E	11.63'
550+48.63	-90.00	C5	C6	S 88° 46' 20" E	11.59'
550+72.48	-90.00	C6	C1	S 31° 34' 37" W	19.92'
550+48.63	-90.00	C5	C3	N 31° 34' 37" E	153.31'
550+30.00	-90.00	C3	C4	N 84° 08' 32" E	22.36'
554+00.00	-90.00	C4	C6	S 31° 34' 37" W	187.92'
550+72.48	-90.00	C6	C5	N 88° 46' 20" E	11.59'
552+85.00	74.81	O1	O2	N 32° 27' 40" E	6.43'
553+03.03	74.81	O2	O3	N 31° 39' 33" E	63.20'
553+83.23	75.00	O3	O4	S 88° 46' 34" E	28.97'
553+77.87	100.00	O4	O5	S 31° 34' 37" W	89.52'
553+08.94	100.00	O5	O1	N 89° 45' 25" W	29.19'

ALL BEARINGS ARE BASED ON STATE PLANE, WESTERN ZONE
PROJECT LOCATED WITHIN SECTION 3, T28N, R31W

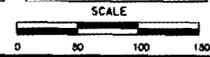


- B.M. #3
STA. 549+05.90, 21.18' RT.
ELEV. 972.98
SET RR SPIKE IN PP
X: 2846183.064, Y: 368580.282
- B.M. #4
STA. 549+90.40, 17.11' RT.
ELEV. 975.59
SET 800 NAIL SE WING K0428
X: 2846223.840, Y: 3698654.403
- B.M. #5
STA. 551+75.97, 40.71' RT.
ELEV. 951.11
TOP OF BOLT SE CORNER CONCRETE PAD
X: 2846341.116, Y: 368800.137
- B.M. #6
STA. 552+47.85, 61.60' LT.
ELEV. 947.37
X IN N SIDE MANHOLE RIM
X: 2846291.595, Y: 368914.944
- B.M. #7
STA. 553+04.65, 17.54' LT.
ELEV. 975.72
SQUARE NW WINDWALL
X: 2846358.876, Y: 368940.259

Sta.	Offset	Point	Point	Description	Distance L.F.
552+86.63	-90.00	TE1	TE2	N 88° 46' 20" W	11.59'
552+88.77	-100.00	TE2	TE3	N 31° 34' 37" E	139.23'
554+00.00	-90.00	TE3	TE4	N 58° 08' 32" E	22.36'
549+20.00	-90.00	TE4	TE1	S 31° 34' 37" W	153.37'
549+48.38	-30.00	TE11	TE12	N 79° 37' 45" W	10.72'
549+42.50	-30.00	TE12	TE13	N 31° 34' 37" E	38.13'
549+48.63	-30.00	TE13	TE14	S 01° 06' 41" W	18.72'
549+48.63	-30.00	TE14	TE11	S 31° 34' 37" W	38.25'

NOTE 1: EXISTING R/W ESTABLISHED USING
E RTE. 96 (R/W) ALIGNMENT.
E RTE. 96 (R/W) AND E RTE. CONSTRUCT
ARE THE SAME BEGINNING AT STA. 548+87.46.

RTE. 96 (CONSTRUCT)		RTE. 96 (CONSTRUCT)	
P.I.	547+41.69	P.I.	548+43.11
P.C.C.	546+77.90	P.C.C.	547+98.53
P.C.C.	547+98.53	P.T.	548+87.46
Δ	46°04'36.2" (LT.)	Δ	10°11'27.6" (LT.)
D	38°11'49.9"	D	11°27'33.0"
T	63.79'	T	44.58'
L	120.63'	R	88.93'
R	150.00'	H	500.00'
SE	4.3% (EXIST.)	SE	4.3% (EXIST.)



DATE PREPARED: 9/22/06
ROUTE: 96 STATE: MD
DISTRICT: SW COUNTY: SW
JOB NO.: J7P2228F
CONTRACT ID:
PROJECT NO.:
BRIDGE NO.: AB425

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

MDOT
105 WEST CAPITOL
JEFFERSON CITY, MO 65102
1-888-454-MDOT (1-888-275-6631)

HVE Engineering, Inc.
4424 South Street
Suite 1000
Kansas City, MO 64111-1698
B10402070
Certificate of Authority: 000083

IF A SEAL IS PRESENT ON THIS SHEET IT HAS BEEN ELECTRONICALLY SEALED AND DATED: 9/22/06

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: _____

Print name and title: _____

MINUTES
STANDING
COMMITTEES

**COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
TUESDAY AUGUST 23, 2016
CITY HALL COUNCIL CHAMBERS**

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

OTHER COUNCIL MEMBERS:

OTHERS PRESENT: Finance Officer Maria Gutierrez-Fisher

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. Collier, the minutes of the August 9, 2016 meeting were approved 3-0.

Review and approval of the Claims Report: The Committee discussed items regarding the Claims Report before it was approved 3-0 on a motion by Mr. Shields.

NEW BUSINESS:

Staff Reports:

Mrs. Gutierrez-Fisher noted the time consuming task of closing/opening of the old/new fiscal year was processed last week. The month of June and July 2016 are balanced within a 3 week time frame, and processed along with crucial end of year journal entries that must be made.

Other Reports: None

ADJOURNMENT: Mr. Shields made a motion to adjourn at 4:55PM. Motion carried 3-0.

Maria Gutierrez-Fisher
Finance Officer

PUBLIC SERVICES COMMITTEE

August 29, 2016
Park Department Office
521 Robert Ellis Young Drive

Public Services Committee Members Present; Brady Beckham, Juan Topete and Timothy Shields.

Staff Present; Tom Short, Mark Peterson and Alan Bull.

Non-Members Present; Mayor Harris, John Hacker, Mark Elliff, Jason Shelfer Jamie Carmichael.

At 5:17 P.M. Mr. Beckham called the meeting to order.

Mr. Topete moved to approve minutes from the July 25, 2016 meeting. Motion carried.

Public participation

NONE

Old Business:

NONE

NEW BUSINESS:

a) Consider and discuss possible commemorative marker at Fair Acres- Mr. Bull introduce Jamie Carmickle who represented the Carthage State Champions Cal Ripken Baseball Team. Ms. Carmickle asked for permission to install a commemorative marker at Fair Acres next the existing markers. The Committee asked Mr. Bull for his input to which Mr. Bull stated he was not a fan of these markers. They are large, have to be mown around and have been vandalized. Mr. Bull also stated he thought plaques mounted to the concession stand would be a better idea. Mr. Bull said he had several people tell him it made it look like a graveyard because of the stones. Mr. Short asked about placing any more back to back with the ones already in place. This would essentially limit the amount to eight and then that would be it. Ms. Carmickle stated that would be a problem and the family's that paid for the other markers wouldn't like it. There was discussion on what could be done in the future, if the stones could be moved at a later date. Also in discussion it was stated that it would be hard to turn down the request when four markers are already in place.

Mr. Shields moved to recommend to Council allowing the commemorative marker to be placed in Fair Acres next to the markers already in place.

Motion carried.

b) Consider and discuss possible change order for bicycle lanes- Mr. Bull reported the City Engineer had drawn up a change order which would complete the bike route marking. Mr. Bull stated the funds were budgeted in this budget and the bid received from the company was way under the estimate so this would be a good way to get the project completed at a good price. Mr. Beckham asked for clarification on the project, this would be the last phase as planned and the money is budgeted for the project? Mr. Bull stated that was correct. The Committee discussed the project, how it was working and comments heard from citizens.

Shields moved to recommend to Council approving Change Order number two with Streetwise Inc. in the amount of \$34,925.00 for pavement marking and signage of the bicycle route. Motion carried.

c) Consider and discuss possible bike share program- Mr. Shelfer addressed the Committee in regards to a possible bike sharing program in the City. Mr. Shelfer stated this idea had beginnings several years ago at an MML Conference in discussion with Mayor Harris. Mr. Shelfer stated he had dropped the idea for a time but with the bike route in the City and pavement marking and signage he felt maybe it was time to investigate more. Mr. Shelfer had been in contact with Zagster, a company that does this kind of project. Mr. Shelfer felt a bike share program would allow citizens to engage in the bike lanes by renting and would allow tourists to interact more with the City. Zagster has one city with a population of just 6,000 so they will work in a smaller community. The Committee discussed where bike stations would be, security and maintenance of the bikes. Mayor Harris stated he had been to Tulsa and they have a bike share program there. The bikes are at a kiosk and users unlock the bikes with an electronic card. Mr. Shelfer stated the company would like to do a conference call to discuss options and possibly talk pricing. Mr. Shields asked how to proceed, if a conference call could be set up. The Committee instructed Mr. Bull to add a conference call to the next agenda and have it set with the Zagster representative.

d) Consider and discuss possible carnival at Fair Acres during Maple Leaf- Mr. Elliff addressed the Committee in regards to hosting a carnival during Maple Leaf. Mr. Elliff would like to have the carnival set up on the northwest parking lot at Fair Acres. The carnival would arrive on October 9 to set up and then operate from October 12 through October 15. Mr. Elliff has talked to the carnival at great lengths and is working with them to prevent any damage to the lot. The Committee asked Mr. Bull what he thought about a carnival operating at that spot. Mr. Bull stated he didn't like it as he thought there would be damage from the big trucks. Mr. Bull explained that particular lot was the softest one and had been a problem in the past. Mr. Bull also stated the City and Steadley Trust had spent a lot of money to repave all the lots at Fair Acres and would hate to see damage done to them. Furthermore, Mr. Bull stated he had discussed this with Tim Hill who also thought it was a bad idea. If there were some way the carnival could put up a deposit in case of damages that would help. Mr. Elliff felt this would not be an option. Mr. Bull stated he knew Mr. Elliff was doing all he could to help minimize any damage by having the trucks drive straight through without turning while they were unloading and then parking the trucks at the Y to keep them off the lots, but he still wasn't comfortable with the idea. The Committee discussed several aspects of having a carnival

including possible damage.

Mr. Topete moved to recommend to Council allowing the carnival to use the parking lot at Fair Acres during Maple Leaf. Motion carried.

STAFF REPORTS

City Administrator-Tom Short

Mr. Short reported on the golf revenues and rounds. The month of July wasn't the best due to weather. Revenue was down about 6.5% and rounds were down about 10%. Mr. Peterson reported on the play and the problems encountered by the weather.

Mr. Short presented a summary of how the new bike route worked. This explained the different markings and the lanes. Mr. Short also included City regulations dealing with bicycles. Mr. Short felt there needed to be some information made available that would help educate citizens on what the City was trying to accomplish with the designated bike route. The Committee thought this was a great idea and discussed different ways to disseminate the information.

Mr. Short also reported on

Park Administrator-Alan Bull

Mr. Bull reported a citizen had asked about installing lights on the south end of the walking trail at Fair Acres. This citizen felt it was very dark there and needed to be lit. Mr. Bull explained that the trail was never meant to be a night time trail and the cost to install lights, along with the ongoing cost to operate really wasn't feasible. The Committee discussed lighting the trail with all members agreeing that this was something they didn't think needed to be done at this time.

Mr. Bull reported on the budget for light replacement at Central Park. Mr. Bull stated that even though there was still discussion needed on the type and design of the lights, the light poles could be bid and ordered in the near future. Mr. Bull pointed out the fact that several of the current concrete poles were breaking apart and he felt no one had a problem using the high quality poles that CW&EP used. Mr. Bull explained there was a pretty large lead time for the poles to get manufactured so he would like to get started on the process if the Committee was comfortable with it. The Committee agreed that the process should begin.

Mr. Bull reported there were several Capital Projects under way and that this year there were more Capital Projects than normal so they needed to get to them.

Mr. Bull reported the two pieces of Capital equipment that were approved at the last meeting had been delivered and paid for.

Mr. Bull reported the pool at Central was now closed for the season and the Municipal pool would be closed after Labor Day weekend.

Mr. Bull stated there was some erosion damage on the south end of the walking trail that needed some attention. The park crew would be forming and pouring some concrete to fix the issue.

Mr. Bull also reported CW&EP asked about transferring a smaller bucket truck to the parks. Mr. Bull stated he wasn't sure if they needed it but after looking at it he felt it would be used quite a bit. It has a smaller foot print than the bigger one and weighs quite a bit less which the Golf Superintendent was happy with.

Mr. Bull informed the Committee that Tom Bayless, park maintenance foreman, would be retiring at the end of the year. Mr. Bull also stated he had several other employees who would be retiring in the next couple of years.

Mr. Shields asked about the driving range property, specifically if the City could use the building for something. Mr. Shields wondered about the possibility of bringing mini golf back. Mr. Bull and Mr. Short explained the City was leasing the property for a driving range and were not using the building due to the condition. Mr. Bull reported the property was for sale but the price made it prohibitive for the City to purchase. Mr. Peterson felt the cost to bring the mini golf back in shape and then staff the property just wouldn't make sense. The Committee discussed the property and its use for some time.

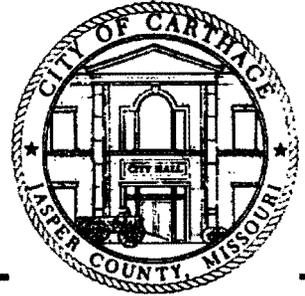
Mr. Beckham brought up how items get placed on the agenda. The Committee discussed several scenarios on how this works.

Meeting adjourned at 6:50 P.M.

PUBLIC WORKS COMMITTEE

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

"America's Maple Leaf City"



09-06-16 PUBLIC WORKS COMMITTEE MEETING MINUTES

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

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

Guests present: Mayor Mike Harris and John Hacker

September 6, 2016 Public Works Committee meeting called to order at 5:30 p.m. by Chairman, Mr. Shelfer.

A motion was made by Juan Topete to accept the minutes from the August 2nd meeting. All ayes. Motion carried.

Citizen Participation: None.

Old Business: None.

New Business:

- A. Lot Split at 809 Budlong. Owner Chuck Clements requesting a lot split. Zeb stated for the Committee that the lot split would maintain compliance to the 6,000 sq. ft. minimum requirement and had no other issues at this time. Jim Swatsenbarg made a motion to approve the request. All Ayes. Motion carries.
- B. Road Agreement with Jasper County. Zeb stated that he and Tom Short met with Jasper County representatives 6 to 8 weeks ago to discuss various areas throughout town where there are 'gaps' that are impacting road maintenance and jurisdiction enforcement issues between city and county. A map of affected areas was presented to the committee. The city and county have worked together for many years basically with a handshake agreement, both agreed that there was cause for an official document stating the local agreement between city and county. After a general discussion by the committee of some of the areas impacted, Brady Beckham made a motion to approve the agreement. All Ayes. Motion carries.
- C. Sidewalk Initiatives - At close of last meeting Mr. Swatsenbarg presented to the committee a sidewalk initiative that Carl Junction is currently using and proposed to the committee that they consider if our sidewalk incentive program could benefit with a review. Zeb stated that he and Tom Short met to discuss and have prepared a draft that includes some updates to Sec. 21-144. The cost per square foot was increased from \$2.50 to \$3.00. The cap for the amount of reimbursement an owner could apply for in a fiscal year was raised from \$2,500 to \$3,000. The program would not be available to those lots

that are in a subdivision where sidewalks are required. An owner may either hire a contractor or do the work themselves. Zeb discussed that excavation work would still need to be done by licensed contractors. Tom Short added to the conversation that the sidewalk incentive program is currently a part of our city code, however there haven't been funds for the past 8 to 10 years and that appropriation of funds would need to be established for the incentive program to start up again. Mr. Swatsenbarg stated that while the proposal didn't accomplish all that he hoped for, he was pleased with the portions of the city code that were included in the changes and stated that he felt this was a good start and worth pursuing. Mr. Swatsenbarg made a motion to approve the amended language. All Ayes. Motion carries.

Other Business: None.

Staff Reports:

Public Works Director Zeb Carney reported on the following:

- 611 Howard. Property has been in the Property Maintenance for approximately 5 years. On track for demolition of structure. Currently is on the agenda for the next P & Z meeting to obtain a Certificate of Appropriateness. Bids have been collected and they range from \$8000 to \$2950.
- Declare Surplus Property. 2008 Chevy Impala – Brady Beckham made a motion to surplus the 2008 Chevy Impala. All Ayes. Motion carries
- Zeb's new truck has arrived and is in service
- Fir Road & Chapel – roadwork complete (south side)
- Football Stadium – inspections are starting up
- Lew Thompson property – storm water improvements are complete.
- Food Truck Friday – coming up this Friday. Discussed briefly that once the Food Truck Friday 'season' is over it might be a good idea to have a meeting to discuss what may need to change in regard to overall set up of event if it continues into the future.
- River Street – project continues to move along. Curb and gutter in place and driveway approaches are connected, still working on details for getting Blevins here to lay asphalt.
- Sidewalk project – going great. Currently on Pearl nearing Airport Drive.
- Using Fire Station #2 as a fill site – which will help defer costs for the development of that property in the future

Tom Short reported on the following:

- 96 Bridge - Closure of bridge, notification to city officials was given just hours before barricades went up by MoDot. Tom reported that Shaun Matlock came to his office to discuss the timeline for replacing the bridge. The replacement had some contingencies pertaining to obtaining right of ways from Leggett & Platt, the Railroad and the City that are still ongoing. MoDot is currently ramping up that process. There will also be an agreement between City and MoDot concerning lights, sidewalks, etc. This agreement is currently being prepared. Tom also reported that he has spoken with Chief Dagnan about increasing patrol to help with anything that may come up.
- Intersection grant submitted to MoDot August 26th. Fairlawn & Garrison & Elk area.

- STP funds have stopped from MoDot, no longer available. Details are still being worked out.
- Wendy Dougless – Wayfinding Sign Committee. Discussed locations and costs.

Committee Members Report:

Brady Beckham reported on his alternative proposal to MoDot on the bridge project. Discussed briefly the comments he received from MoDot. Brief discussion in regard to asphalt contracts and demolition procedures.

Jim Swatsenbarg reported that he spoke with someone over the weekend who is pursuing annexation into city for a proposed housing project.

Jason Shelfer inquired to the recent replacement of AC unit for the Public Works Department. Zeb reported that the unit is working well and staff is very appreciative. Jason also reported about some complaints he has received on bike lanes and some of the inconsistencies in the layout. Also brief discussion about the timeline for signage and parking spaces for Food Trucks on square and a sign proposal from Lowell Davis. Brief discussion followed.

Brady Beckham made a motion to adjourn at 6:45 p.m. All ayes. Motion carries.

***MINUTES
SPECIAL
COMMITTEES
AND BOARDS***

MINUTES
CARTHAGE TREE BOARD

September 7, 2016
5:15 P.M.
Park Department Office

Tree Board Members Present; Dale Hopp, Cody Smith, Anne Stocker and Ed Browning.
Member absent; Justin Baucom
Non-Members Present; Lorie Neubert, Jon Skinner, Robert Balek and Larry Chapin.

Meeting was called to order at 5:20.

A) Update on Big Tree contest- Mr. Smith wondered if any entries had been received. Mrs Neubert reported that there had not been any turned in, but several had been picked up. Mr. Smith suggested advertising the contest with Carthage Press, KDMO radio station, the CVB and updating the Tree Board Facebook page.

B) Consider and discuss Maple Leaf Parade – Mr. Smith asked Ms. Stocker for an update on finding someone who is willing to drive the park truck and trailer in the parade. Ms. Stocker is wanting the same person as last year to drive, but has yet to get in touch with them. Ms. Stocker expressed concern that an entry had not yet been made with the Chamber. Ms. Stocker will be calling to get that done. Mr. Smith suggested that it wouldn't necessarily need to be a City truck and that anyone could drive their own personal vehicle.

C) Consider and discuss donation of trees by the Dogwood Garden Club- Mrs. Neubert reported that Mr. Bull had been approached by the Dogwood Garden Club about donating some trees of small, medium and large sizes for donations to the City parks. Mr. Bull is wanting suggestions from the tree board and Mr. Skinner. Mr. Skinner mentioned concern about the city's existing tree list ordinance. Ms. Stocker reported that she had a list of approved trees and she would study it and come up with some suggestions. Mr. Skinner also made many suggestions for possible trees.

D) Consider and discuss the tree pruning workshop- Mr. Smith reported that this is scheduled for November 19 at 10:00 in Municipal Park.

E) Consider and discuss possible Tree Ordinance changes- Mr. Smith states that he and Ms. Stocker were pretty close to having these ready to look over and would get started back on them. Hopefully they would have them ready for review by the Board in the near future.

F) Consider and discuss chainsaw workshop- Mr. Smith reports the date has been set for November 16 and Mr. Bull is coordinating with a company for an Echo demo. A class will be held inside with the demo being held outside.

Meeting adjourned 5:50

CWEP BOARD MEETING MINUTES

August 25, 2016

The Carthage Water & Electric Plant Board met in regular session Thursday, August 25, 2016, at 4:00 p.m. at the CW&EP Office, 627 W Centennial, Carthage, MO.

Board:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Brian Schmidt - President | <input type="checkbox"/> Neel Baucom - Member |
| <input checked="" type="checkbox"/> Ron Ross - Vice President | <input checked="" type="checkbox"/> Danny Lambeth - Member |
| <input checked="" type="checkbox"/> Pat Goff - Secretary | <input checked="" type="checkbox"/> G. Stephen Beimdiek - Member |
| <input checked="" type="checkbox"/> Jim Swatsenbarg - Liaison | |

Staff:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Chuck Bryant - General Manager | <input checked="" type="checkbox"/> Jason Choate - Water Services Director |
| <input checked="" type="checkbox"/> Cassandra Ludwig - General Counsel | <input checked="" type="checkbox"/> Kelli Nugent / CFO |
| <input checked="" type="checkbox"/> Jason Peterson - Director IT & Broadband | <input type="checkbox"/> Kevin Emery - Director of Power Supply |
| <input checked="" type="checkbox"/> Brian Potter - Director of Power Delivery | <input checked="" type="checkbox"/> Susan Wendleton - Administrative Assistant |

President Schmidt called the meeting to order at 4:00 p.m.

CITIZEN'S PARTICIPATION PERIOD:

General Manager Bryant continued the process of introducing CWEP personnel to the Board. The following employees and years of service were recognized: Power Plant Dispatchers: Matt Metcalf - 14.2 yrs; Dale Bailey - 10.2 yrs; Joel Terry - 6.7 yrs; Ron Miller - 14.9 yrs; Accountant: Collyn Carey - 8 months; Meter Reader/Meter Repairman: Jess Hettinger - 1 month; Water Distribution Operator: Tyler Ralston 2 weeks. The Board thanked these employees for their commitment to CWEP.

ADDITIONS/CHANGES TO THE AGENDA: None.

APPROVAL OF MINUTES:

A motion by Beimdiek and seconded by Lambeth to approve the minutes of the regular meeting of July 21, 2016, as presented passed unanimously.

APPROVAL OF DISBURSEMENTS:

A motion by Ross and seconded by Goff to approve disbursements for July in the amount of \$2,778,583.69 passed unanimously.

FINANCIAL STATEMENT:

CFO Nugent noted that CWEP ended the 2015-2016 fiscal year with a consolidated net income of \$3,348,625 compared to the budget of \$4,320,946. She indicated that approximately \$800,000 of this shortfall was due to a cooler summer, less demand for electricity and potentially conservation of energy by customers. Budgets to actuals

were presented as well as financial ratio graphs that are now being included for the Board's review.

A motion by Beimdiek and seconded by Ross to approve the June financial statement passed unanimously.

July 2016 begins the new fiscal year with consolidated net income of \$437,805 compared to the budget of \$272,261.

A motion by Goff and seconded by Beimdiek to approve the July financial statement passed unanimously.

COMMITTEE REPORTS: None.

OLD BUSINESS: None.

NEW BUSINESS:

CONSIDERATION OF BIDS FOR REPLACEMENT OF UNIT 205 WITH AERIAL LIFT

General Manager Bryant reported that only one bid was received for this bucket truck with an aerial lift which will replace Unit No. 205. The lone bid from Altec Industries for \$131,938 was below the budgeted amount of \$150,000.

A motion by Lambeth and seconded by Beimdiek to accept the bid of Altec Industries the 2017 Ram truck with a 41' aerial lift passed unanimously.

CONSIDERATION OF BIDS FOR UTILITY RATE STUDY

General Manager Bryant noted that a rate study was budgeted at \$60,000. Proposals were received from Allgeier Martin & Associates in the amount of \$68,000, BHMG Engineers, Inc in the amount of \$55,800, Burns & McDonnell in the amount of \$64,400, and Toth & Associates in the amount of \$22,000. Based upon review as well as conversations with other customers who have had similar studies completed by Toth, the recommendation of management is to accept the proposal of Toth.

A motion by Beimdiek and seconded by Lambeth to accept the rate study proposal of Toth & Associates in the amount of \$22,000 passed unanimously.

CONSIDERATION OF ADOPTION OF VEGETATION MANAGEMENT PLAN

General Manager Bryant and Director of Power Delivery Potter explained this management plan that formalizes a process currently observed by CWEP.

A motion by Beimdiek and seconded by Lambeth to adopt the proposed Vegetation Management Plan passed unanimously.

CONSIDERATION OF UPDATES OF EMPLOYEE HANDBOOK POLICIES PERTAINING TO BENEFITS AND RETIREMENT

General Manager Bryant reviewed some language updates. Article V Benefits, Health and Disability would eliminate the reference to a travel insurance policy which was discontinued at the time that the life insurance for all employees was raised from \$20,000 to \$25,000. Due to changes in health insurance coverage, it is no longer the practice of offering tetanus shots as a company on an annual basis. The proposed change to Article XXXIV Retirement Section 4 would update the employee handbook to the Lagers plan that was effective July 1.

A motion by Ross and seconded by Beimdiek to approved the proposed revisions to Article V Benefits, Health and Disability and Article XXXIV Retirement Section 4 Pension Plan passed unanimously.

CONSIDERATION OF INCREASE OF CAPITALIZATION POLICY

CFO Nugent noted that the possibility of increasing the capitalization amount was brought up recently during the audit process. A survey she completed with other utilities indicated that \$5,000 would be a reasonable amount to consider. In response to Board questions on whether this amount was high enough, GM Bryant stated that this amount will be evaluated from time to time in the future.

A motion by Ross and seconded by Beimdiek to approve the proposed capitalization policy establishing \$5,000 as the threshold amount for minimum capitalization, as per auditor's suggestion, passed unanimously.

DISCUSSION OF SUCCESSION PLAN AND WORKFORCE DEVELOPMENT

General Manager Bryant reviewed the process used by staff in evaluating and preparing for succession planning and knowledge transfer of key personnel for the utility. The Board reviewed CWEP's organizational chart and discussed how current and future workforce needs are being addressed.

STAFF REPORTS

General Manager Bryant noted that Plum Point Power Plant has been performing very well for us. He commended CWEP crews for work they have been accomplishing on the Carthage square, CFO Nugent and staff for their management of the recent financial audit, and General Counsel Ludwig and Director of Power Supply Emery for a NERC audit with zero violations.

Birthday greetings were extended to Board Member Goff.

Wendleton read a recent note from the Carthage Convention and Visitor's Bureau that stated CWEP crews bring amazing service with a smile.

BOARD MEMBER COMMENTS:

Goff appreciated the interesting discussion on workforce development.

At 5:34 p.m. the meeting adjourned.

President – Brian Schmidt

Secretary – Pat Goff

***AGENDAS
STANDING
COMMITTEES***

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS

September 15, 2016

4:45 PM

Carthage City Hall

--Tentative 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 417-2377000 (VOICE) OR 1-800-735-2466 (TOO VIA RELAY
MISSOURI) AT LEAST 24 HOURS PRIOR TO MEETING.)**

Posted _____

PUBLIC SERVICES COMMITTEE
MONDAY AUGUST 29, 2016
5:15 P.M.
PARK DEPARTMENT OFFICE
521 ROBERT ELLIS YOUNG DRIVE

Tentative Agenda

1. Consideration and approval of minutes of previous meeting
2. Citizen participation

Old Business

NONE

New Business

1. Consider and discuss possible commemorative marker at Fair Acres.
2. Consider and discuss possible change order for bicycle lanes.
3. Consider and discuss possible bike share program.
4. Consider and discuss possible carnival at Fair Acres during Maple Leaf.

Staff reports

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.

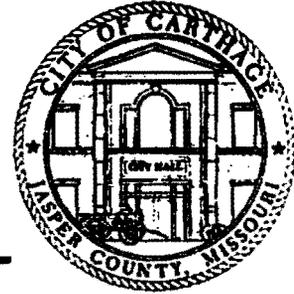
Posted: _____

By: _____

PUBLIC WORKS COMMITTEE

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

"America's Maple Leaf City"



AGENDA

September 6, 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 at 809 Budlong.
 - b.) Consider and Discuss the Road Agreement with Jasper County.
 - c.) Consider and Discuss the Sidewalk Initiative.
5. Other Business
 - a.) None
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. 7th 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.***

--NOTICE OF MEETING--

BUDGET WAYS & MEANS COMMITTEE

MONDAY, SEPTEMBER 12, 2016

6:00 P.M.

**COUNCIL CHAMBERS, CITY HALL
326 GRANT ST., CARTHAGE, MISSOURI**

--TENTATIVE AGENDA--

OLD BUSINESS

1.

NEW BUSINESS

1. Staff Reports.
2. Other Business.

**MEETING
CANCELLED**

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: _____

BY: _____

***AGENDAS
SPECIAL
COMMITTEES
AND BOARDS***



Commerce • Community • Connection

Board of Directors Meeting

Thursday, August 18, 2016

7:30 a.m.

***Vision Statement** - To foster and facilitate the success of Carthage area businesses, so our community is financially healthy and the people living, working, and playing in Carthage can enjoy a higher quality of life.*

***Mission Statement** - To improve the overall business climate for our members and quality of life for the community through sponsorship of programs which promote civic and economic development, stimulate growth, and support relevant political action.*

Guiding Principles

- The Chamber will continue to support our overall business climate for our members and quality of life for the community through sponsorship of programs which promote civic and economic development, stimulate growth and support relevant political action. In addition, the Chamber will focus on six goals that will aid citizens and businesses of Carthage.
- Actively pursue marketing and developing retail as well as industrial expansion, with emphasis in the Myer's Park Development in partnership with the Carthage Economic Development Corporation (CEDC). When appropriate, the board will make recommendations to the City Council or CEDC on development issues.
- Focus on retaining and creating quality jobs by visiting businesses, retail, commercial and industrial throughout the year as well as continuing to work with the Carthage Technical Center on the National Career Readiness Certificate Program in promoting it.
- Work in conjunction with interested parties to develop industrial land to attract and support a quality workforce.
- Continue to improve marketing and communications to our members. Engage and educate members and the public of Chamber activities, develop a deeper presence with online media and focus efforts to enhance the Member 2 Member program.
- Develop stronger relationship with the retail community and enhance participation.
- Support businesses and community organizations to renew retail efforts, support education programs and assist in business expansion.

Agenda

1. Call to Order
2. Approval of July Minutes
3. Financial Report
4. Chairman's Input
5. Membership Report
6. Committee Reports
 - a. Ambassadors - Rodney Hinds
 - b. Banquet - Robert Goar
 - c. Emerging Leaders - Tina Hallmark
 - d. Expo - Roy Mason
 - e. Golf Scramble - Brian Schmidt
 - f. Maple Leaf - Susan Wendleton
 - g. Marketing - Roy Mason
 - h. Public Policy - Susan Wendleton

7. Old Business
 - a. Whistleblower & Conflict of Interest policies
8. New Business
 - a. As needed
9. President's Report
10. Liaison Reports
 - a. Jim Benton, Carthage Ministerial Alliance
 - b. Wendi Douglas, CVB
 - c. Jim Honey, Jasper County
 - d. Jason Shelfer, City of Carthage
11. Ex-officio Reports
 - a. Chuck Bryant, CWEP
 - b. Tom Short, City of Carthage
12. Upcoming calendar items
13. **Closed Session as needed**
14. *Next Regular Board Meeting - Thursday, September 15*
15. Adjourn

POSTED: _____ BY: _____

2016 Board of Directors meetings total = 7

Susan Wendleton	5	Paul Eckels	6	CVB	3
Steve Willis	6	Robert Goar	5	Carthage City Council	5
Brian Schmidt	5	Dr. Jon Haffner	6	Jasper Co. Commission	2
Rodney Hinds	3	Tina Hallmark	6	Ministerial Alliance	5
Kenney Arnold	3	Roy Mason	6	City of Carthage	1
Ryan Brunnert	1	Dr. Sean Smith	5	CWEP	3

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

Darius K. Adams
Western District Commissioner

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



COMMISSION AGENDA
AUGUST 30, 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
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
 - ◊ **Emergency Repairs for the Jasper County Sheriff**
10. PUBLIC HEARINGS
 - ◊ **Placement of 45 mile per hour speed limit signs on Maverick Road**
 - ◊ **Placement of 45 mile per hour speed limit signs on Hawthorne Road between Highway 43 and Highway 171**

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 AUGUST 26, 2016 AT 4:00 P.M.

(RSMO 610.020)

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
SEPTEMBER 6, 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
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
 - ◊ **Surplus Property for the Jasper County Sheriff**
 - ◊ **Surplus Emergency Management Services Vehicle**
10. PUBLIC HEARINGS
 - ◊ **Placement of 45 mile per hour speed limit signs on Maverick Road**
 - ◊ **Placement of 45 mile per hour speed limit signs on Hawthorne Road between Highway 43 and Highway 171**

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 SEPTEMBER 2, 2016 AT 4:00 P.M.

(RSMO 610.020)

CARTHAGE TREE BOARD

WEDNESDAY, SEPTEMBER 7, 2016
5:15 P.M.

CARTHAGE PARK DEPARTMENT

MUNICIPAL PARK

TENTATIVE AGENDA

1. Up-Date on big tree contest.
2. Discuss Maple Leaf Parade entry.
3. Discuss tree planting list for Carthage Parks.
4. Discuss tree pruning workshop.
5. Up-Date on possible Tree Ordinance changes.

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: _____

By: _____

CARTHAGE PUBLIC LIBRARY BOARD OF TRUSTEES
Tuesday, September 13th, 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 No Smoking Policy

Payment of Bills

Adjournment

CITY OF CARTHAGE



Planning, Zoning, & Historic
Preservation Commission

Date: 09/19/16
Place: City Hall Chambers
326 Grant St.
Time: 5:15 pm

AGENDA

To Consider the following items:

Requested by: Carolyn Wyatt / 519 W Fairview

Purpose: Re-zoning Request. Current zoning: 'A' First Dwelling. Zoning Request: 'O' Non-Retail

Requested by: Public Works Department / Code Official - 611 Howard

Purpose: Certificate of Appropriateness for the Demolition of structure.

Requested by:

Purpose:

Requested by:

Purpose:

Requested by:

Purpose:

Commission Members:

Chairman	Harry Rogers	1350 S Main St	417-358-4527
Vice Chairman	Kara Hardesty	325 S Main	417-359-8182
Secretary	Bill Barksdale	1314 S Garrison	417-388-2464
Liason	Jim Swatsenbarg	601 Howard	417-359-5210
Member	Eric Putnam	S21 E Highland	417-388-2739
Member	Harold Neely	2136 Allison	417-358-4955
Member	Richard "Bud" Rogers	2122 S Main	417-438-4645
Member	Shane Moore	1208 S Garrison	417-358-2222
Staff	Tom Short	City Hall	417-237-7003
Staff	Zeb Carney	Public Works Department	417-237-7010
Staff	Mike Harris	City Hall	417-237-7003

CORRESPONDENCE

Carthage Chamber of Commerce

Balance Sheet

08/11/16

As of July 31, 2016

Accrual Basis

	Jul 31, 16
ASSETS	
Current Assets	
Checking/Savings	
General Checking	11,375.62
Money Market	53,918.42
Petty Cash	200.00
Total Checking/Savings	65,494.04
Accounts Receivable	
1200 · Accounts Receivable	10,278.00
Total Accounts Receivable	10,278.00
Other Current Assets	
Maple Leaf Account	77,141.78
Prepaid Insurance - Business	5,355.17
1499 · Undeposited Funds	1,883.85
Total Other Current Assets	84,380.80
Total Current Assets	160,152.84
Fixed Assets	
Accumulated Depreciation	-80,783.19
Building	222,745.00
Building Improvements	19,112.39
Land	28,000.00
Office Equipment	9,252.14
Office Equipment - Copier	8,742.83
Total Fixed Assets	207,069.17
TOTAL ASSETS	367,222.01
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	-39.00
Total Accounts Payable	-39.00
Other Current Liabilities	
Accrued PTO	716.73
Lease Payable - Copier	4,554.04
2100 · Payroll Liabilities	23,659.05
Total Other Current Liabilities	28,929.82
Total Current Liabilities	28,890.82
Long Term Liabilities	
UMB Building Loan	108,795.78
Total Long Term Liabilities	108,795.78
Total Liabilities	137,686.60
Equity	
3900 · Retained Earnings	214,006.99
Net Income	15,528.42
Total Equity	229,535.41
TOTAL LIABILITIES & EQUITY	367,222.01

10:25 AM

Carthage Chamber of Commerce

08/11/16

Profit & Loss

Accrual Basis

July 2016

	Jul 16
Ordinary Income/Expense	
Income	
Donations	2,000.00
Economic Development contract	9,310.00
Interest incomes	21.18
Maple Leaf income	24,327.25
Membership dues	
New member	784.00
Renewal	2,123.50
Total Membership dues	2,907.50
Miscellaneous Income	1,123.00
Registration fees	
Quarterly Luncheon	660.00
Sidewalk Sale	480.00
Total Registration fees	1,140.00
Sponsorships	
Quarterly Luncheon Sponsor	125.00
Sponsorships - Other	650.00
Total Sponsorships	775.00
Tenant Agreement	410.00
Total Income	42,013.93
Gross Profit	42,013.93
Expense	
Advertising & publicity	500.00
Awards & prizes	10.00
Bank & credit card fees	29.02
Car allowance	200.00
Depreciation Expense	667.01
Dues & subscriptions	779.79
Equipment lease	263.66
Facility use fees	
Room & setup fees	400.00
Total Facility use fees	400.00
Food & drinks	
Lunches	48.48
Total Food & drinks	48.48
Insurance - health	996.50
Interest expense	348.07
Internet & website	79.94
Maple Leaf expense	6,133.82
Meals & entertainment	624.34
Mileage	114.70
Miscellaneous expense	1,150.00
Office supplies	
Office equipment	639.00
Office supplies - Other	120.69
Total Office supplies	759.69
Postage & delivery	5.22
Repairs & maintenance	378.20
Salaries & wages	
Payroll taxes	732.03
Salaries & wages - Other	10,212.60

10:25 AM

08/11/16

Accrual Basis

Carthage Chamber of Commerce

Profit & Loss

July 2016

	Jul 16
Total Salaries & wages	10,944.63
Seminars & conferences	5.00
Taxes & licenses	46.28
Travel	
Airfare	60.00
Lodging	996.15
Total Travel	1,056.15
Utilities	755.01
Write Offs	190.00
Total Expense	26,485.51
Net Ordinary Income	15,528.42
Net Income	15,528.42

The Carthage Chamber of Commerce Presents

Annual Banquet 2017

Friday, January 20, 2017

SPONSORSHIP OPPORTUNITIES

Exclusive Spotlight Sponsorship \$1000

- Logo featured on the invitation and RSVP card mailed to 450 Chamber members
- Company representative will be invited to give five-minute presentation
- Logo printed in the program distributed to up to 375 attendees
- Company name will be prominently associated with the event at www.CarthageChamber.com
- Logo included in slideshow displayed during the event's social hour
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include a reserved table and ten reservations for the event*

Industry-Exclusive Dinner Sponsorship \$750

- Logo printed in the program distributed to up to 375 attendees
- Logo displayed on signage at the event
- Logo included in slideshow displayed during the event's social hour
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include six reservations for the event*

Dinner Sponsorship w/reserved table for ten \$900

Industry-Exclusive Social Hour Sponsorship \$750

- Logo printed in the program distributed to up to 375 attendees
- Logo displayed on signage at the event
- Logo included in slideshow displayed during the event's social hour
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include six reservations for the event*

Social Hour Sponsorship w/reserved table for ten \$900

Platinum Sponsorship \$500

- Logo featured in programs distributed to attendees
- Logo included in a pre-event slideshow
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include four reservations for the event*

Platinum Sponsorship w/reserved table for ten \$700

Gold Sponsorship \$200

- Company name listed in the programs
- Company name included in pre-event slideshow
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include two reservations for the event*

Gold Sponsorship w/reserved table for ten \$450

Entertainment Sponsorship \$250

- Company name listed in the programs
- Company name included in pre-event slideshow
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include two reservations for the event*

Award Sponsorship \$250

- Company name listed in the programs with award
- Announcement in radio promotions and during the evening's program
- *This sponsorship will include one reservation for the event for the award presenter*

Reserved Table for Ten \$360

- Reservations for 10 guests
- Company name on a reserved table

22

Sponsorship deadline is December 9, 2016.

For more information, contact Mary Jo at 417-358-2373 or mjlittle@carthagechamber.com.



Carthage Emerging Leaders (CELs) agriculture tour & picnic lunch

"Sustainable, Organic Farming in the Real World"

Wednesday, August 31 • 11:30 a.m.-1 p.m.

Garrett Family Farm, 13691 County Rd. 110

We will have a picnic lunch prepared by the Garrett Family, tour this family-owned, local, non-GMO, antibiotic and hormone free, pasture raised farm. The Garrett Family sells chickens, eggs, and pork, with turkeys to come just in time for the holidays!

Cost \$10*, includes lunch. All CELs are invited.

Attendees should be prepared for a farm environment and dress accordingly. Alternative footwear will not be provided.

RSVP by 8/22 to Mary Jo at 358-2373 or mjlittle@carthagechamber.com

*Cancellations will be refunded ONLY if cancellation is received more than 24 hours before start of event. No-shows will be billed. Substitutions are allowed.

Carthage Emerging Leaders PEOPLE YOU NEED TO KNOW

with Kar Glassman,
President of CEO of Leggett & Platt

Tuesday, November 8, 2011, 7:00 pm

Stone's Throw Dinner Theatre, 2495 World 66 Blvd

Chamber members ages 21-40 are invited to learn from this local agricultural industry leader how to become a leader, develop leadership skills and be leaders within your organization. Cost \$12* includes lunch. Space is limited so RSVP today to reserve your spot!

CEL
Carthage
Emerging Leaders

RSVP by 11/30 to Mary Jo at 358-2373 or mjlittle@carthagechamber.com

*Cancellations will be refunded ONLY if cancellation is received more than 24 hours before start of event. Substitutions are allowed.



Tuesday, November 15
& Wednesday, November 16

8 a.m.-1 p.m. both days
CWEP Community Room, 627 W. Centennial

Are you a RED? Are you a YELLOW? Are you a BLUE? Are you a **WHITE**?

Sponsored by:



According to Van and Tammy Benson, "85% of employees who lost their jobs, last year, were fired because they couldn't get along with people, not because they lacked the necessary skills or expertise to do the job. 35% of the typical manager's day is taken up by PEOPLE PROBLEMS! It doesn't have to be this way."

"All of life is about relationships, and business is no exception. Great managers, and successful business relationships, are not created by sheer luck. It takes hard work. Bad managers, and poor business relationships, don't just happen either. Many times people look the other way rather than focus on the negative truth about where the conflict comes from, and how it can be successfully resolved."



All Chamber members ages 21-40 are invited to learn about Motive Matters and The Color Code, to improve your personal and career

relationships by learning what motivates you and the people around you. Thanks to our sponsors, this valuable training is being offered FREE to a very limited number of CEL members. Reservations are REQUIRED by November 1.

For info or to register, contact Mary Jo at 358-2373 or mjlittle@carthagechamber.com.



Sponsors needed for upcoming Motive Matters

Due to the positive response we received from our Carthage Emerging Leaders (CEL) after Motive Matters training last February, we are offering another session in November. We would like to be able to again offer this valuable training at no charge, but to do that, WE NEED SPONSORS! We need a minimum of three sponsors to step up at the \$500 level by September 1. More sponsors means more of our 21-40 year old Chamber members can improve their personal and career relationships by learning what motivates them and the people around them. Sponsors will receive logo and/or name mention in ALL event marketing, as well as at the event itself. This is an opportunity to present your company or organization to our young professionals and the Chamber as a whole, so contact Mary Jo at 417-358-2373 or mjlittle@carthagechamber.com today to pledge your sponsorship! Thanks to Freeman Health System and H.E. Williams for stepping up to pledge their support!



Commerce • Community • Connection

Golf Scramble



Friday, September 16

12:30 p.m. - Shotgun start

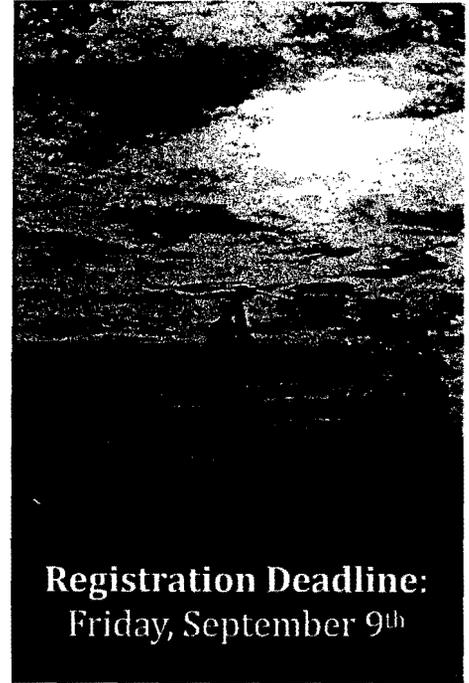
5 p.m. - Cookout & Social hour

(all Chamber members are invited to join us after work)

5:30 p.m. - Awards

Entry Fee: 4-person team \$300

At least one player must be an employee of a Chamber member



Registration Deadline:
Friday, September 9th

Available Sponsorships

GRAND Sponsor:
\$350

*includes team registration
& one hole sponsorship*

**Exclusive
Closest-to-the-Pin
Sponsor:**
\$400

**Exclusive
Longest Drive
Sponsor:**
\$300

**Exclusive
Putting Contest
Sponsor:**
\$300

**Hole-in-One Contest
Sponsor:**
\$300

Hole Sponsor:
\$100

Sponsorship Deadline:
Friday, September 9th

Dinner provided by:



Complimentary Beverages
provided by:



Entry Fee Includes:

- Four Person Scramble
- Green Fees
- Two Golf Carts per Team
- Goodie Bags for all players
- Cookout-style dinner plus snacks all afternoon
- **Top Teams win \$500!!**

Tournament Challenges Include:

- Hole-in-One Contests for amazing prizes or even **\$10,000!!**
- Putting Contest for a chance at **\$5,000!!**
- Closest-To-The-Pin Contest on Par 3s
- Longest Drive Contests for Men and Women

Mulligans: \$5 each

(maximum of 2 per person or 8 per team)

For more information or to reserve your spot, contact
the Carthage Chamber at 358-2373 or mjlittle@carthagechamber.com.

24



Commerce • Community • Connection

Golf Scramble



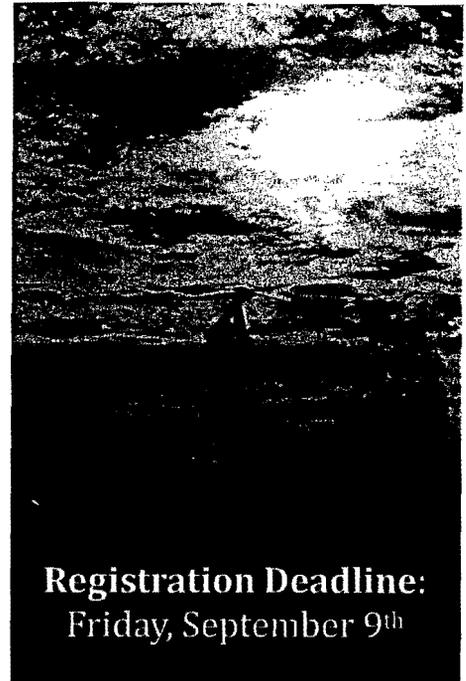
Friday, September 16

12:30 p.m. - Shotgun start

5 p.m. - Cookout & Social hour

(all Chamber members are invited to join us after work)

5:30 p.m. - Awards



Registration Deadline:
Friday, September 9th

Yes! We would like to play!

Team of Four players \$300

AT LEAST ONE PLAYER MUST BE AN EMPLOYEE OF A CHAMBER MEMBER

Mulligans for \$5 each, will also be available at check-in.

Quantity _____ *(Limit of 2 per player or 8 per team)*

Yes! We would like to be a sponsor!

Grand Sponsors for \$350, includes one team entry fee and company logo on one hole.

Closest-To-The-Pin Contest Sponsor for \$400, includes company logo on four tees. *(Limit of 1)*

Longest Drive Contest Sponsor for men and women \$300, includes company logo on two tees. *(Limit of 1)*

Putting Contest Sponsor for \$300, includes company logo on the practice green. *(Limit of 1)*

Hole-in-One Sponsor for \$300, includes company logo on one tee. *(Limit of 4)*

Hole Sponsors for \$100, includes company logo on one tee.

Business Name: _____

Contact Person: _____ Day-of Phone #: _____

Player Names: _____

Please check one: Payment enclosed _____
 Bill my business _____

Total Due

**Registration
Deadline:**
Friday,
September
9th

25

Cancellations will be refunded ONLY IF cancellation is received more than 24 hours before start of event.

For more information or to pledge your sponsorship, contact the Carthage Chamber at 358-2373.

Carthage Chamber of Commerce Presents

50th Annual

Maple Leaf Festival



"50 YEARS OF MAPLE LEAF" HISTORY BOOK ADVERTISING OPPORTUNITIES

Premium Full-page \$650 *(limit of 1)*
Premium 8" x 10" ad placement inside front cover
Complimentary copy of finished book

Full-page \$600 *(limit of 2)*
8" x 10" ad
Complimentary copy of finished book

Half-page \$350
8" x 5" ad

Quarter-page \$200
4" x 5" ad

Eighth-page \$100
Slightly larger than a business card
4" x 2 1/2" ad

Full-page

8" x 10"

Premium location \$650

Standard location \$600

**All ads are
full-color, glossy
ads and include
professional
design and layout.**

Half-page

8" x 5"

\$350

Quarter- page

4" x 5"

\$200

Eighth-page

4" x 2 1/2"

\$100

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"50 YEARS OF MAPLE LEAF" HISTORY BOOK ADVERTISING COMMITMENT

Advertising Commitment

Member Business: _____

Contact person: _____

Phone: _____

Email: _____

Preferred ad size:

Premium Full-page 8" x 10" (\$650)

Full-page 8" x 10" (\$600)

Half-page 8" x 5" (\$350)

Quarter-page 4" x 5" (\$200)

Eighth-page 4" x 2 1/2" (\$100)

Ad will be provided by: Advertiser (must be print-ready)

Publisher (with advertiser's approval of proof)

Guaranteed ad placement is not available, except for Premium ad. Final book layout and design will be determined by the publisher, in partnership with the Carthage Chamber of Commerce and Maple Leaf Committee.

Advertiser Signature: _____ Date: _____

Chamber Signature: _____ Date: _____

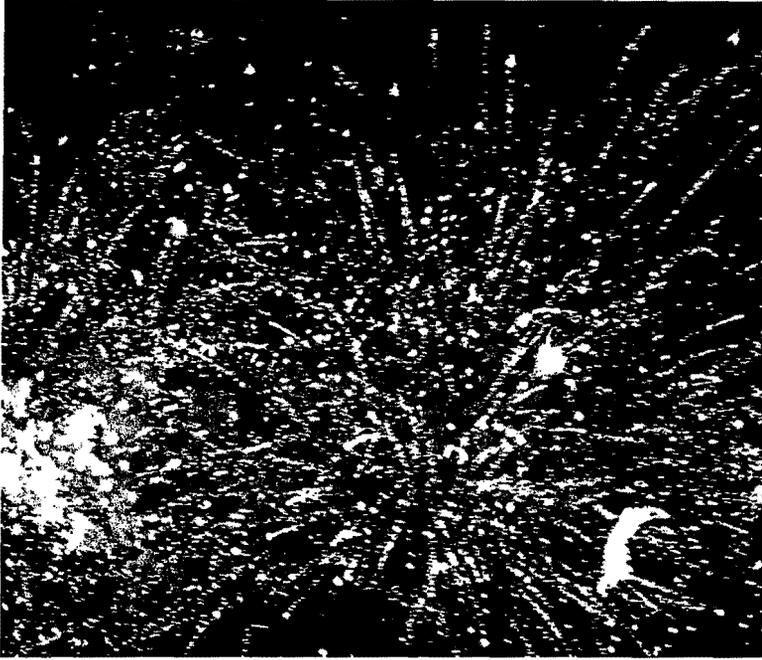
Carthage Chamber of Commerce Presents

50th Annual

Maple Leaf Festival



FIREWORKS SPONSORSHIP OPPORTUNITIES



Exclusive Event Sponsor \$3000 *(limit of 1)*

Event Co-Sponsor \$1500 *(limit of 2)*

Event Partner \$1000 *(limit of 3)*

Sponsor will receive traditional media and social media promotions including:
Radio, Press Releases, all-Chamber emails,
Facebook and Twitter.

Sponsor Commitment

Member Business: _____

Contact person: _____

Phone: _____

Email: _____

Commitment level:

Exclusive sponsor (\$3000)

Co-sponsor (\$1500)

Partner (\$100)

Final sanctioning of event will take place on Friday, October 15 and will be at the discretion of safety officials. There will be no refunds in the case of high winds, rain, or other unforeseen cancellations.

Sponsor Signature: _____ Date: _____

Chamber Signature: _____ Date: _____

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For more information, contact Mary Jo at 417-358-2373 or mjlittle@carthagechamber.com.



Economic Development Project Activity Tracker July 2016

The activity tracker measures the year-to-date level of economic development project activity (prospects) in the Carthage area. The Carthage Chamber serves as the lead business expansion and attraction entity for the Carthage area.

2016 Total Prospects (includes new and existing companies).....	18
Active Projects	17

- Meeting with City Administrator and Public Works
- Discussion with MBL Development on Myers Park project
- Discussion with Brian Schmidt on Myers Park project
- Attended Jasper County Youth Fair and provided refreshments for participants
- Discussion with Jake Heisten
- Discussion with Chad Reed regarding Vision Carthage project
- Toured Cloud's processing with Congressman Long's Agriculture Tour

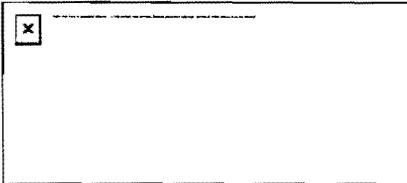
The Carthage Chamber of Commerce is a member of the Joplin Regional Partnership (JRP), a regional effort in Southwest Missouri and Southeast Kansas to bring businesses to the area. JRP is contacted by the Missouri Partnership who markets Missouri nationally and internationally to companies wanting to move their facility to another location. The Carthage Chamber of Commerce is contacted by JRP for available buildings and land.

Tom Short

From: Missouri Municipal League <mcities@mvsend.com>
Sent: Friday, August 26, 2016 3:38 PM
To: t.short@carthagemo.gov
Subject: Bills of Municipal Interest That Passed And Become Law Aug. 28, 2016

[View in browser](#)

[FORWARD-TEXT](#)



Below is a list of bills that will become law in Missouri on August 28, 2016.

Find more information on the legislative pages of the [League website](#).

Bills of Municipal Interest That Passed Will Become Law on August 28, 2016

HB 2140 - Extends the re-authorization vote for the titling of out-of-state sales of motor vehicles for two more years (November 2018).

SB 572 – (MML Opposed) - Expands the provisions of SB5, enacted in 2015, to include:

- Minimum standards for municipalities in St. Louis county - a municipality is not required to adopt an updated construction code.
- Nuisance abatement ordinances - ordinance must provide to the owner of the property a written notice which describes the condition of the lot, what action will remedy the nuisance, and provides not less than ten days to abate or commence removal of each condition identified in the notice. If the owner does not occupy the property, then the notice shall be given to any occupant.
- Liability for debts of a municipality – State of Missouri is not liable for the debts of a municipality that is financially insolvent. (As a side note, our state constitution already contains this provision.)
- Municipal judges - The act prohibits a municipal judge from serving on more than five municipal courts.
- The definition of minor traffic violation is modified to include traffic ordinance violations for which no points are assessed to a driver's driving record and amended charges for any minor traffic violation and adds a definition for municipal ordinance violations.
- The maximum allowable fine for minor traffic violations has been lowered from \$300 to \$225. For municipal ordinance violations committed within a twelve-month

period beginning with the first violation: the maximum allowable fine is \$200, \$250 for the second offense, \$350 for the third offense, and \$450 for the fourth and subsequent offenses. No court costs shall be charged to defendants found to be indigent. Municipal courts are also required to not charge defendants for costs associated with community service alternatives.

· Disincorporation Procedures - establishes disincorporation procedures for third class cities, charter cities, and home rule cities.

· Municipal courts - Nuisance and zoning ordinance violations and amended charges for municipal ordinance violations are added to the calculation limiting the percentage of annual general operating revenue that can come from fines and court costs for minor violations and to provisions regarding fines, imprisonment, and court costs in municipal court cases. Nuisance and zoning ordinance violations are also added to municipal disincorporation provisions if a municipality fails to remit excess annual general operating revenue to the Department of Revenue for the county school fund and the disincorporation threshold has been lowered from 60 percent to a majority of participating voters.

SB 613 - Enacts new provisions of law relating to the workers' compensation insurance premiums of volunteer fire departments.

SB 732 - Establishes criteria for the use of body cameras by police officers.

SB 794 - Creates a sales tax exemption for parts of certain types of medical equipment.

SB 823 - (MML Opposed) - Prohibits taxing of internet access, similar to existing federal prohibition.

SB 1002 - Allows the State Auditor to audit community improvement districts. (MML Supported)

SB 1025 - Under current law, the definition of "sale at retail" for purposes of sales tax law includes charges and fees to or in places of recreation. This act provides that the definition does not include amounts paid for instructional classes.

HB 1418 - This bill requires the State Auditor's office to report any transportation development district (TDD) failing to submit its annual financial statement to the Department of Revenue (DOR). The DOR will notify the non-compliant district by certified mail it has 30 days from the postmarked date to submit the required statement to the State Auditor's office. If the statement is not received the district will be fined \$500 per day beginning on the 31st day from the postmarked date. Any transportation development district with gross revenues of less than \$5,000 annually will not be subject to the fine. Audits performed by the State Auditor's office shall be paid by the TDD and the cost shall not exceed 3 percent of gross revenues of the district. Any costs exceeding that shall be absorbed by the State Auditor's office. This bill also clarifies that gross revenue of a TDD is measured by the fiscal year, not annually.

HB 1434 - Specifies that a recommendation of approval on a proposed redevelopment plan, project, designation, or amendment by a TIF commission in St. Charles, Jefferson, and St. Louis counties must only be deemed to occur if a majority of the commissioners voting vote for approval. A tied vote must be considered a recommendation in opposition.

The bill requires the governing body of a municipality to submit a report of each redevelopment plan and redevelopment project in existence on December 31 of the preceding year to the Department of Revenue by November 15 each year and requires the Commissioner of Administration to publish the data in the reports on the Missouri Accountability Portal. Any municipality that does not comply with such reporting requirements within 60 days from the certified mail notification from the department will be prohibited from adopting any new tax increment financing plan for five years.

HB 1443 - Allows political subdivisions to assign operation of a retirement plan to the Missouri Local Government Employees' Retirement System. (MML Supported)

HB 1561 - Requires that municipalities in the St. Louis County sales tax pool receive at least 50 percent of the revenue generated inside a given municipality.

HB 2376 – Authorized use of design build contracts for municipal projects. (MML Supported)

Bills of Municipal Interest with an Effective Date Other than August 28, 2016

SB 588 - Modifies the rules of expungement of criminal records if such offense, violation, or infraction was prosecuted under the jurisdiction of a Missouri municipal, associate circuit, or circuit court. (January 1, 2018 effective date)

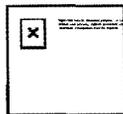
Missouri Municipal League

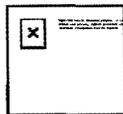
1727 Southridge Dr.

Jefferson City, Missouri 65109

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BY LIZ FARMER | AUGUST 31, 2016

In Missouri, the Department of Revenue decided to start applying the state's entertainment sales tax to activities like dance.

States have struggled to keep up the same revenue growth as they experienced before the recession. One big reason is that their earnings from sales taxes are declining. That's because these days, consumers are spending far more on services -- most of which aren't taxed -- than goods, which are.

To remedy the situation, lawmakers have tried and had varying degrees of success expanding the sales tax to services. Massachusetts passed a tax on the cloud and quickly repealed it after the tech industry complained. Pennsylvania enacted the so-called "Netflix tax" on streaming video services. Washington, D.C., added a long list of services to be taxed: yoga, tanning and bowling, to name a few.

But in Missouri this fall, voters could put an end to all such efforts in their state. A first-of-its-kind proposed constitutional amendment would ban Missouri lawmakers from ever expanding the sales tax to services.

The ballot measure is, in part, a response to efforts across the country to lower the income tax in exchange for expanding the sales tax. While Missouri hasn't seriously considered such a proposal, the legislature did have a heated debate this year over the Department of Revenue's decision to start applying the state's entertainment sales tax to activities like personal training, dance and gymnastics.

Scott Charton, a spokesperson for the ballot measure's backers, said expanding the sales tax is a "real threat" to poorer consumers. Doing so, he said, would actually benefit the wealthy because it would likely encourage reduced income taxes, particularly for top earners.

The sales tax is generally seen by economists as regressive, meaning it's a bigger burden on low-income families because it takes a bigger chunk of change from their income. As a result, most tax policy experts promote expanding the sales tax in concert with reducing the sales tax rate, according to Sujit CanagaRetna, an analyst with the Council of State Governments.

That combination is seen as more progressive because it not only captures spending on services, which wealthier people are more likely to use, but also lowers the rate, which could give poorer people slightly more money in their pockets.

But if the ballot measure passes, CanagaRetna cautions that it might actually have the reverse effect on lower-income consumers and cost them more money. That's because without the option to expand the sales tax base, lawmakers looking to stabilize their slowly shrinking revenue would only be left with the option to raise the sales tax rate.

Case in point: In 1987, the Florida Legislature expanded the sales tax to services such as advertising, legal, accounting and construction. The move was met with enormous outcry from powerful groups. Advertisers and the media joined with lawyers, realtors and homebuilders in fighting the new law. Major corporations like Coca-Cola and Procter & Gamble canceled or reduced their advertising in the state to protest the tax, while business groups canceled at least 60 conventions. Protesters even poured instant tea mix into Florida's harbors, mimicking the famous Boston Tea Party revolt. After six months, the services tax was repealed and replaced with a sales tax hike from 5 percent to 6 percent, making the tax more regressive than before.

In Missouri, similar lobbying forces are at play. The proposed constitutional amendment is backed by the Missouri Association of REALTORS. Even the state press and broadcasters associations -- which rarely endorse campaigns -- are supporting Amendment 4 because they see it as a threat to their advertising revenue.

"We're picking up endorsements right and left because people are realizing what it means," said Charton.

But the true effect of the ballot measure, if it passes, will only be realized when the legislature reacts.

11:10 AM

08/31/16

Accrual Basis

Carthage Humane Society Inc
Profit & Loss
August 2016

	Aug 16
Income	
ACO	435.00
Adoptions	10,725.00
City of Carthage Contract	2,500.00
Donations	446.00
Memorials	1,935.00
Misc. Income	560.00
Pet Smart Rescue Waggin	974.12
RTO	295.00
Surrender	50.00
Trailer Rental Income	300.00
Trusts	1,710.05
Total Income	19,930.17
Gross Profit	19,930.17
Expense	
Contract Services	
Outside Contract Services	463.00
Total Contract Services	463.00
Facilities and Equipment	
Equip Rental and Maintenance	180.21
Total Facilities and Equipment	180.21
Food Costs	52.58
Insurance	
Building insurance	638.85
Insurance - Other	97.50
Total Insurance	736.35
Insurance - Health	500.00
Misc. Expense	2,294.41
Operations	
Postage, Mailing Service	18.80
Supplies	268.85
Telephone, Telecommunications	127.85
Total Operations	415.50
Payroll Expense	
Payroll tax expense	
Employee Medicare Expense	207.40
Employee Social Security Tax Ex	886.89
Employer Medicare Tax Expense	207.40
Employer Social Security Tax Ex	886.89
Federal Withholding Tax Expense	203.00
State Withholding Tax	91.00
SUTA	220.44
Total Payroll tax expense	2,703.02
Payroll Expense - Other	12,916.35
Total Payroll Expense	15,619.37
Repairs and Maintenance	2,596.20
Utilities	
Electric	1,398.00
Total Utilities	1,398.00

11:10 AM

Carthage Humane Society Inc

08/31/16

Profit & Loss

Accrual Basis

August 2016

	<u>Aug 16</u>
Utilities - trash	340.80
Veterinary costs	2,500.00
VETERINARY SUPPLIES	<u>1,719.55</u>
Total Expense	<u>28,815.97</u>
Net Income	<u><u>-8,885.80</u></u>

11:10 AM

08/31/16

Accrual Basis

Carthage Humane Society Inc

Profit & Loss

May through August 2016

	<u>May - Aug 16</u>
Income	
ACO	1,560.00
Adoptions	18,895.00
City of Carthage Contract	10,000.00
Donations	4,989.29
Grants	24,638.00
Memorials	6,635.00
Misc. Income	1,529.93
Pet Smart Rescue Waggin	5,191.04
RTO	970.00
Surrender	641.36
Trailer Rental Income	450.00
Trusts	36,498.24
Total Income	<u>111,997.86</u>
Gross Profit	111,997.86
Expense	
Advertising	196.00
Bank and Credit card fees	142.04
Contract Services	
Outside Contract Services	1,963.00
Total Contract Services	<u>1,963.00</u>
Facilities and Equipment	
Equip Rental and Maintenance	180.21
Total Facilities and Equipment	<u>180.21</u>
Food Costs	
Cat food	21.84
Dog Food	255.00
Food Costs - Other	292.98
Total Food Costs	<u>569.82</u>
Insurance	
Building Insurance	1,842.85
Employee Bond	100.00
Insurance - Other	1,568.94
Total Insurance	<u>3,511.79</u>
Insurance - Health	2,380.91
Misc. Expense	7,655.04
Operations	
Postage, Mailing Service	18.80
Supplies	1,762.26
Telephone, Telecommunications	383.43
Total Operations	<u>2,164.49</u>
Payroll Expense	
Payroll tax expense	
Employee Medicare Expense	553.10
Employee Social Security Tax Ex	2,364.97
Employee State Withholding Tax	356.24
Employer Medicare Tax Expense	620.63
Employer Social Security Tax Ex	2,364.97
Federal Withholding Tax Expense	585.00
Social Security Tax Expense	288.71
State Withholding Tax	785.84
SUTA	654.15
Total Payroll tax expense	<u>8,573.61</u>

11:10 AM
08/31/16
Accrual Basis

Carthage Humane Society Inc
Profit & Loss
May through August 2016

	<u>May - Aug 16</u>
Payroll Expense - Other	38,974.04
Total Payroll Expense	47,547.65
Property Tax Expense	106.66
Refunds	375.00
Repairs and Maintenance	2,921.20
SWB Line of credit interest exp	295.73
Utilities	
Electric	4,709.46
Propane	379.90
Utilities - Other	127.81
Total Utilities	5,217.17
Utilities - trash	1,347.02
Veterinary costs	8,773.00
VETERINARY SUPPLIES	6,224.78
Total Expense	91,571.51
Net Income	20,426.35

GILMORE BELL

GILMORE & BELL PC
2405 GRAND BOULEVARD, SUITE 1100
KANSAS CITY, MISSOURI 64108-2521

816-221-1000 | 816-221-1018 FAX
GILMOREBELL.COM

September 2, 2016

Mr. Tom Short
City Administrator
City of Carthage, Missouri
326 Grant Street
Carthage, Missouri 64836

Re: \$47,665,000 Hospital Revenue Bonds, Series 2005 (the "Bonds") issued by the City of Carthage, Missouri

Dear Mr. Short:

Enclosed are the following documents related to our computation of arbitrage rebate and yield reduction payment liability in connection with the above-referenced Bonds:

- Legal Opinion of Gilmore & Bell Regarding the Arbitrage Rebate Analysis;
- Exhibit A – Explanation of Arbitrage Rebate Analysis; and
- Exhibit B – Arbitrage Rebate Analysis as of January 1, 2012 (the "Computation Date").

As of the Computation Date, no rebate payment or yield reduction payment is required to be made for the Bonds. The amount accrued as of the Computation Date as a rebate liability attributable to the investment of the gross proceeds of the Bonds subject to arbitrage rebate was negative \$1,549,321.45. There was no accrued yield reduction payment liability.

It is our understanding that the Bonds were reissued on the Computation Date; no future rebate computations are required for the original bond issue. A separate rebate computation for the reissued bonds was completed as of July, 22, 2016, the date the reissued bonds were redeemed in full.

Please call me if you have any questions.

Very truly yours,



Marc McCarty

MCM:ac

Enclosures

cc: Tremaine Duarte
Rachel Orr
Sid Douglas
David Martin



GILMORE BELL

GILMORE & BELL PC
2405 GRAND BOULEVARD, SUITE 1100
KANSAS CITY, MISSOURI 64108-2521

816-221-1000 | 816-221-1018 FAX
GILMOREBELL.COM

September 2, 2016

City of Carthage, Missouri

Re: \$47,665,000 Hospital Revenue Bonds, Series 2005 (the "Bonds") issued by the City of Carthage, Missouri— Legal Opinion Regarding Arbitrage Rebate Analysis as of January 1, 2012

Ladies and Gentlemen:

We have acted as counsel to the City of Carthage, Missouri (the "Issuer") in connection with the preparation of the Arbitrage Rebate Analysis dated January 1, 2012 (the "Arbitrage Analysis") for the above-referenced Bonds. We have attached as Exhibit A our Explanation of Arbitrage Rebate Analysis and as Exhibit B our Arbitrage Rebate Analysis.

Our opinion is based on the facts and assumptions stated in the Explanation of Arbitrage Rebate Analysis. Capitalized terms used in this opinion have the same meaning as described in the Explanation of Arbitrage Rebate Analysis.

We have assumed that the financial records provided to us are accurate and correct. Unless otherwise noted in the Explanation of Arbitrage Rebate Analysis, we have also assumed that the proceeds of the Bonds and other funds were used and invested in accordance with the documents contained in the Transcript, including but not limited to the Tax Compliance Agreement.

Based upon the foregoing, we are of the opinion that, under existing law:

1. The accounting method, identification of funds and accounts subject to rebate or yield reduction payment restrictions and the overall methodology employed in the preparation of the Arbitrage Analysis are in accordance with Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and United States Treasury Regulations and decisions.
2. As of the Computation Date, no rebate payment is required to be made for the Bonds.
3. As of the Computation Date, no yield reduction payment is required to be made for the Bonds.

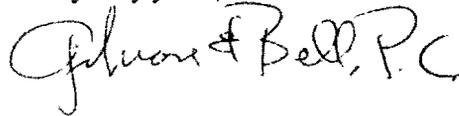
Our opinion is based on statutes, regulations and decisions in effect as of this date, and is intended for and can be relied on only by the parties to whom it is addressed. We understand that the Issuer will use this opinion and the Arbitrage Analysis to determine whether any rebate liability or yield reduction payment is due and the amount and timing of that payment.

In preparing the Arbitrage Analysis, we have exercised our best efforts to (1) correctly analyze the financial records provided to us and correctly incorporate those records into the Arbitrage Analysis, (2)

correctly interpret applicable provisions of the Code, United States Treasury Regulations, rulings, and decisions, and (3) accurately compute the amount of rebate payment or yield reduction payment owed to the Internal Revenue Service (the "IRS"). This opinion represents our reasoned judgment based on the financial records provided to us and existing statutes, regulations, rulings and decisions and the stated assumptions in the Explanation of Arbitrage Rebate Analysis. The conclusions in this opinion are not binding on the IRS.

We express no opinion as to the tax-exempt status of interest on the Bonds or as to compliance with the terms of the covenants and documents under which the Bonds were issued.

Very truly yours,

A handwritten signature in cursive script that reads "Gilmore & Bell, P.C." The signature is written in dark ink and is positioned to the right of the typed name.

MCM:ac

Exhibit A

Explanation of Arbitrage Rebate Analysis

This Explanation of Arbitrage Rebate Analysis summarizes the methodology and primary assumptions used in the Arbitrage Rebate Analysis dated January 1, 2012 (the "Arbitrage Analysis") for the \$47,665,000 Hospital Revenue Bonds, Series 2005 (the "Bonds") issued by the City of Carthage (the "Issuer"). This explanation accompanies our legal opinion dated September 2, 2016.

General Matters

The time period covered by the Arbitrage Analysis (the "Computation Period") began October 1, 2010 and ended January 1, 2012. (The latter date is referred to as the "Computation Date.")

We determined that the funds included in the Arbitrage Analysis were "gross proceeds" subject to rebate and/or yield restriction payments under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and applicable United States Treasury Regulations and decisions. This determination was based on our review of the various documents included in the Transcript of Proceedings at the time the Bonds were issued (the "Transcript").

The Arbitrage Analysis was prepared using financial records (the "Investment Records") provided by UMB Bank, N.A. The relevant investment data contained in the Investment Records for each fund and account was entered in the Arbitrage Analysis. Multiple procedures were used to analyze and test the accuracy of the Investment Records as well as the accuracy and the overall reasonableness of the investment results for each fund or account that was included in the Arbitrage Analysis. Based on the procedures employed, the results reflected in the Arbitrage Analysis appear to accurately incorporate the information in the Investment Records. However, the Arbitrage Analysis is not intended to be a mathematical verification of the information contained in the Investment Records or an audit of the investment results actually obtained.

The Computation Date is a rebate computation installment payment date.

The computation of yield on the Bonds used in the Arbitrage Analysis is contained in the Transcript as an exhibit to the Tax Compliance Agreement.

All investments purchased or sold using gross proceeds of the Bonds were treated as purchased and sold on the dates and at the prices reflected in the Investment Records, and these prices were assumed to be at fair market value of the investment on the purchase or sale date.

Unless otherwise noted, investments that were required to be valued on dates other than a date when they actually were purchased or sold, were valued either at par plus accrued interest or at present value as of that date. These values are shown in the Arbitrage Analysis.

Prior Calculations and Payments

The prior rebate computation report was prepared by BKD, LLP, dated October 1, 2010 (the "Prior Computation Date"). No rebate was generated as of the Prior Computation Date.

Accounting for Expenditures and Investments

Bond proceeds were allocated to expenditures on the dates reflected in the Investment Records. Bond proceeds were assumed to have been spent in accordance with the various documents contained in the Transcript.

Gross proceeds of the Bonds were allocated to investment purchases and receipts based on the dates shown in the Investment Records.

Yield Reduction Payment – Restricted Investment

No funds or accounts were identified as subject to investment yield restrictions.

Exemption of Funds from Rebate – Bona Fide Debt Service Fund

Amounts held in a “bona fide debt service fund” are not taken into account in computing arbitrage rebate if the gross earnings on such fund during a given bond year are less than \$100,000. If the average annual debt service on the issue does not exceed \$2,500,000, the \$100,000 earnings test may be treated as satisfied. A “bona fide debt service fund” is a fund that—

(1) is used primarily to achieve a proper matching of revenues with principal and interest payments within each bond year; and

(2) is depleted at least once each bond year, except for a reasonable carryover amount not to exceed the greater of (A) the earnings on the fund for the preceding bond year, or (B) one-twelfth of the principal and interest payments on the bond issue for the preceding bond year.

The bond fund qualified as a bona fide debt service fund for all bond years during the Computation Period.

GILMORE BELL

GILMORE & BELL PC
2405 GRAND BOULEVARD, SUITE 1100
KANSAS CITY, MISSOURI 64108-2521
816-221-1000 | 816-221-1018 FAX
GILMOREBELL.COM

September 2, 2016

Mr. Tom Short
City Administrator
City of Carthage, Missouri
326 Grant Street
Carthage, Missouri 64836

Re: \$40,055,000 Hospital Revenue Bonds, Series 2005 (Reissued January 1, 2012) (the "Bonds") issued by the City of Carthage, Missouri (the "City")

Dear Mr. Short:

Enclosed are the following documents related to our computation of arbitrage rebate and yield reduction payment liability in connection with the above-referenced Bonds:

- IRS Form 8038-T together with filing instructions;
- Proposed Transmittal Letter from the City to the Internal Revenue Service;
- Legal Opinion of Gilmore & Bell Regarding the Arbitrage Rebate Analysis;
- Exhibit A – Explanation of Arbitrage Rebate Analysis; and
- Exhibit B – Arbitrage Rebate Analysis as of July 22, 2016 (the "Computation Date").

As of the Computation Date, a rebate payment is required to be made for the Bonds. The amount accrued as of the Computation Date as a rebate liability attributable to the investment of the gross proceeds of the Bonds subject to arbitrage rebate was **\$1,141,363.25**. There was no accrued yield reduction payment liability. We recommend that **100%** of the calculated liability be paid on or before **September 20, 2016**.

The Bonds were redeemed in full as of the Computation Date; no future computations are required.

Please call me if you have any questions.

Very truly yours,



Marc McCarty

MCM:ac

Enclosures

cc: Tremaine Duarte
Rachel Orr
Sid Douglas
David Martin



GILMORE BELL

GILMORE & BELL PC
2405 GRAND BOULEVARD, SUITE 1100
KANSAS CITY, MISSOURI 64108-2521

816-221-1000 | 816-221-1018 FAX
GILMOREBELL.COM

September 2, 2016

City of Carthage, Missouri

Re: \$40,055,000 Hospital Revenue Bonds, Series 2005 (Reissued January 1, 2012) (the "Bonds") issued by the City of Carthage, Missouri– Legal Opinion Regarding Arbitrage Rebate Analysis as of July 22, 2016

Ladies and Gentlemen:

We have acted as counsel to the City of Carthage, Missouri (the "Issuer") in connection with the preparation of the Arbitrage Rebate Analysis dated July 22, 2016 (the "Arbitrage Analysis") for the above-referenced Bonds. We have attached as Exhibit A our Explanation of Arbitrage Rebate Analysis and as Exhibit B our Arbitrage Rebate Analysis.

Our opinion is based on the facts and assumptions stated in the Explanation of Arbitrage Rebate Analysis. Capitalized terms used in this opinion have the same meaning as described in the Explanation of Arbitrage Rebate Analysis.

We have assumed that the financial records provided to us are accurate and correct. Unless otherwise noted in the Explanation of Arbitrage Rebate Analysis, we have also assumed that the proceeds of the Bonds and other funds were used and invested in accordance with the documents contained in the Transcript, including but not limited to the Tax Compliance Agreement.

Based upon the foregoing, we are of the opinion that, under existing law:

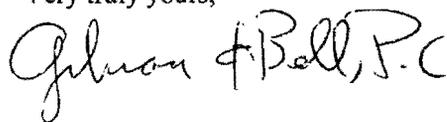
1. The accounting method, identification of funds and accounts subject to rebate or yield reduction payment restrictions and the overall methodology employed in the preparation of the Arbitrage Analysis are in accordance with Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and United States Treasury Regulations and decisions.
2. As of the Computation Date, the amount earned from the investment of the gross proceeds of the Bonds subject to arbitrage rebate under Section 148(f) of the Code was \$1,141,363.25. Payment to the United States Treasury of this rebate amount is due on September 20, 2016, 60 days after July 22, 2016.
3. As of the Computation Date, no yield reduction payment is required to be made for the Bonds.

Our opinion is based on statutes, regulations and decisions in effect as of this date, and is intended for and can be relied on only by the parties to whom it is addressed. We understand that the Issuer will use this opinion and the Arbitrage Analysis to determine whether any rebate liability or yield reduction payment is due and the amount and timing of that payment.

In preparing the Arbitrage Analysis, we have exercised our best efforts to (1) correctly analyze the financial records provided to us and correctly incorporate those records into the Arbitrage Analysis, (2) correctly interpret applicable provisions of the Code, United States Treasury Regulations, rulings, and decisions, and (3) accurately compute the amount of rebate payment or yield reduction payment owed to the Internal Revenue Service (the "IRS"). This opinion represents our reasoned judgment based on the financial records provided to us and existing statutes, regulations, rulings and decisions and the stated assumptions in the Explanation of Arbitrage Rebate Analysis. The conclusions in this opinion are not binding on the IRS.

We express no opinion as to the tax-exempt status of interest on the Bonds or as to compliance with the terms of the covenants and documents under which the Bonds were issued.

Very truly yours,

A handwritten signature in cursive script that reads "Gilmore & Bell, P.C." The signature is written in black ink and is positioned to the right of the typed name.

MCM:ac

Exhibit A

Explanation of Arbitrage Rebate Analysis

This Explanation of Arbitrage Rebate Analysis summarizes the methodology and primary assumptions used in the Arbitrage Rebate Analysis dated July 22, 2016 (the "Arbitrage Analysis") for the \$40,055,000 Hospital Revenue Bonds, Series 2005 (Reissued January 1, 2012) (the "Bonds") issued by the City of Carthage, Missouri (the "Issuer"). This explanation accompanies our legal opinion dated September 2, 2016.

General Matters

The time period covered by the Arbitrage Analysis (the "Computation Period") began January 1, 2012 and ended July 22, 2016. (The latter date is referred to as the "Computation Date.")

We determined that the funds included in the Arbitrage Analysis were "gross proceeds" subject to rebate and/or yield restriction payments under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and applicable United States Treasury Regulations and decisions. This determination was based on our review of the various documents included in the Transcript of Proceedings at the time the Bonds were issued (the "Transcript").

The Arbitrage Analysis was prepared using financial records (the "Investment Records") provided by UMB Bank, N.A. The relevant investment data contained in the Investment Records for each fund and account was entered in the Arbitrage Analysis. Multiple procedures were used to analyze and test the accuracy of the Investment Records as well as the accuracy and the overall reasonableness of the investment results for each fund or account that was included in the Arbitrage Analysis. Based on the procedures employed, the results reflected in the Arbitrage Analysis appear to accurately incorporate the information in the Investment Records. However, the Arbitrage Analysis is not intended to be a mathematical verification of the information contained in the Investment Records or an audit of the investment results actually obtained.

The Computation Date is a rebate computation installment payment date.

The computation of yield on the Bonds used in the Arbitrage Analysis is contained in the Transcript as an exhibit to the Tax Compliance Agreement.

All investments purchased or sold using gross proceeds of the Bonds were treated as purchased and sold on the dates and at the prices reflected in the Investment Records, and these prices were assumed to be at fair market value of the investment on the purchase or sale date.

Unless otherwise noted, investments that were required to be valued on dates other than a date when they actually were purchased or sold, were valued either at par plus accrued interest or at present value as of that date. These values are shown in the Arbitrage Analysis.

Accounting for Expenditures and Investments

Bond proceeds were allocated to expenditures on the dates reflected in the Investment Records. Bond proceeds were assumed to have been spent in accordance with the various documents contained in the Transcript.

Gross proceeds of the Bonds were allocated to investment purchases and receipts based on the dates shown in the Investment Records.

Yield Reduction Payment – Restricted Investment

No funds or accounts were identified as subject to investment yield restrictions.

Exemption of Funds from Rebate – Bona Fide Debt Service Fund

Amounts held in a “bona fide debt service fund” are not taken into account in computing arbitrage rebate if the gross earnings on such fund during a given bond year are less than \$100,000. If the average annual debt service on the issue does not exceed \$2,500,000, the \$100,000 earnings test may be treated as satisfied. A “bona fide debt service fund” is a fund that—

(1) is used primarily to achieve a proper matching of revenues with principal and interest payments within each bond year; and

(2) is depleted at least once each bond year, except for a reasonable carryover amount not to exceed the greater of (A) the earnings on the fund for the preceding bond year, or (B) one-twelfth of the principal and interest payments on the bond issue for the preceding bond year.

The bond fund failed to qualify as a bona fide debt service fund during the bond year ended April 1, 2016 because it was funded at amounts in excess of the minimum balance limitation. We calculated rebate on the excess balance during this year.

**Arbitrage Rebate, Yield Reduction
and Penalty in Lieu of Arbitrage Rebate**
▶ Under Sections 143(g)(3) and 148(f)
and Section 103(c)(6)(D) of the Internal Revenue Code of 1954

Part I Reporting Authority		Check box if Amended Return <input type="checkbox"/>	
1 Issuer's name City of Carthage, Missouri		2 Issuer's employer identification number (EIN) 44-6000157	
3 Number and street (or P.O. box no. if mail is not delivered to street address) Room/suite 326 Grant Street		4 Report number (For IRS Use Only) 7	
5 City, town, or post office, state, and ZIP code Carthage, Missouri 64836		6 Date of issue 1/1/2012	
7 Name of issue Hospital Revenue Bonds, Series 2005		8 CUSIP number 146652 AE2	
9 Name and title of officer of the issuer or other person whom the IRS may call for more information Tom Short, City Administrator		10 Telephone number of officer or other person 417-237-7003	
11 Type of issue ▶		Issue price ▶	11 40,055,000

Part II Arbitrage Rebate and Yield Reduction Payments	Amount
12 Computation date to which this payment relates (MM/DD/YYYY) 07/22/2016	
13 Arbitrage rebate payment (see instructions) <input type="checkbox"/> check box if less than 100% of rebate amount	13 1,141,363.25
14 Yield reduction payment (see instructions) <input type="checkbox"/> check box if less than 100% of yield reduction amount	14
15 Rebate payment from Qualified Zone Academy Bond (QZAB) defeasance escrow (see instructions)	15

Part III Penalty in Lieu of Arbitrage Rebate	
16 Number of months since date of issue: <input type="checkbox"/> 6 mos <input type="checkbox"/> 12 mos <input type="checkbox"/> 18 mos <input type="checkbox"/> 24 mos <input type="checkbox"/> Other. No. of mos	
17 Penalty in lieu of rebate	17
18 Date of termination election (MM/DD/YYYY)	18
19 Penalty upon termination	19

Part IV Late Payments	
20 Does failure to pay timely qualify for waiver of penalty (see instructions) Yes <input type="checkbox"/> No <input type="checkbox"/>	
21 Penalty for failure to pay on time (see instructions)	21
22 Interest on underpayment (see instructions)	22

Part V Total Payment	23 Total payment. Add lines 13, 14, 15, 17, 19, 21, and 22. Enter total here	23 1,141,363.25
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Part VI Miscellaneous	
24 Unspent proceeds as of this computation date	24
25 Proceeds used to redeem bonds	25
26 Gross proceeds used for qualified administrative costs for guaranteed investment contracts (GICs) and defeasance escrows	26
27 Fees paid for a qualified guarantee	27
28 Is the issue a variable rate issue?	28 Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
29 Did the issuer enter into a hedge? Name of provider Term of hedge	29 Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
30 Were gross proceeds invested in a GIC? Name of provider Morgan Stanley Capital Services Inc* Term of GIC 32.2	30 Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
31 Were any gross proceeds invested beyond an available temporary period?	31 Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
32 Calculations for filing of this form prepared by: <input type="checkbox"/> Issuer <input checked="" type="checkbox"/> Preparer: Gilmore & Bell, P.C.	

Signature and Consent	Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.				
	Signature of issuer's authorized representative Tom Short		Date 7-1-16		
Paid Preparer Use Only	Print/Type preparer's name Marcus C. McCarty	Preparer's signature <i>[Signature]</i>	Date 7-1-16	Check <input type="checkbox"/> if self-employed	PTIN P01066191
	Firm's name ▶ Gilmore & Bell, P.C.			Firm's EIN ▶ 43-1611738	
	Firm's address ▶ 2405 Grand Boulevard, Suite 1100, Kansas City, MO 64108			Phone no. (816) 221-1000	

* GIC attributable to transferred proceeds.



The City of Carthage

"America's Maple Leaf City"

September 16, 2016

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Internal Revenue Service Center
Ogden, UT 84201

Re: \$40,055,000 Hospital Revenue Bonds, Series 2005 (Reissued January 1, 2012)
(the "Bonds") issued by the City of Carthage, Missouri

Ladies and Gentlemen:

In accordance with Internal Revenue Code Section 148(f), we enclose Form 8038-T for filing in connection with the above-referenced bond issue.

Also enclosed is a check in the amount of \$1,141,363.25 for arbitrage rebate generated as of July 22, 2016. The payment represents 100% of the rebate amount.

Very truly yours,

CITY OF CARTHAGE, MISSOURI

By

Name: Tom Short
Title: City Administrator

Enclosures

"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 and 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 certain members of the body. Accordingly, 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.