

**COUNCIL AGENDA
CITY OF CARTHAGE, MISSOURI
TUESDAY, JULY 14, 2020
6:30 P.M. – COUNCIL CHAMBERS**

In response to the Coronavirus pandemic and pursuant to the Declaration of Emergency within the City of Carthage, this meeting will be held by on-line video conference. If you would like to listen to the meeting, access information is provided below. For questions, contact City Clerk Traci Cox (417) 237-7000 or [fill out this form](#).

If you would like to listen to the meeting please call by telephone #346-248-7799. You will have to enter the ID# 839 5265 1898 with a password 029743. This will allow you to listen to the meeting.

1. Call to Order
2. Invocation
3. Pledge of Allegiance to Flag
4. Calling of the Roll
5. Reading and Consideration of Minutes of Previous Meeting
6. Presentations/Proclamations
7. Public Comments
(Citizens wishing to address the Council or Committee should notify the City in advance, and provide the item they wish to address in written format at least 24 hours prior to the meeting by [filling out this form](#). Residents who do not have internet service may call the Clerk's office at 417-237-7000.)
8. Reports of Standing Committees
9. Reports from Special Committees and Board Liaisons
10. Report of the Mayor
11. Reports/Remarks of Councilmembers
(Each Councilmember is limited to no more than two (2) minutes. The time may be extended by the Chair if deemed necessary. Once a Councilmember has had their say on a particular issue they are not permitted to once again speak on the issue unless permitted by the Chair)
12. Administrative Reports
13. Report of Claims Presented Against the City
14. Public Hearings
 - Public Hearing for approval of the Carthage Water & Electric and Carthage Public Library Budgets.
15. Old Business
 1. **C.B. 20-31** – An Ordinance to amend Section 6-35 of the Carthage Code, for Inspection and Correction of Unsafe Conditions, by adding a reinspection fee. (Public Works)

2. **C.B. 20-32** – An Ordinance to amend Section 6-17, Building Permit Fees of the Code of the City of Carthage to adjust building valuations for the permitting process and adding a reinspection fee. (Public Works)

16. New Business

1. **C.B. 20-35** – An Ordinance authorizing a special use permit for operation of a Daycare School as requested by Sabrina Lynch for 820 Howard Street, in the City of Carthage, Jasper County, Missouri. (Planning & Zoning)
2. **C.B. 20-36** – An Ordinance authorizing a special use permit for operation of a Daycare Center as requested by Heather (McLemore) Stark 1701 S. Main St., in the City of Carthage, Jasper County, Missouri. (Planning & Zoning)
3. **C.B. 20-37** – An Ordinance adopting the Annual Operating and Capital Budget of the Carthage Water & Electric Plant (CW&EP) and the Carthage Library for the Fiscal Year 2020-2021. (Budget Ways & Means)

17. Mayor's Appointments

18. Resolutions

1. **Resolution 1909**- A Resolution approving the recommendation of the McCune-Brooks Regional Hospital Trust for the distribution of funds (\$25,000) from the Restricted Trust Fund to the Area Agency on Aging Region X. (McCune Brooks Regional Hospital Trust)

19. Closing Comments

20. Executive Session

- CLOSED SESSION: ACCORDING TO SECTION 610.021 (1), THE AGENDA INCLUDES THE POSSIBILITY OF A VOTE TO CLOSE PART OF THE MEETING TO DISCUSS LEGAL ACTIONS, CAUSES OF ACTION OR LITIGATION INVOLVING A PUBLIC GOVERNMENTAL BODY OR ITS REPRESENTATIVES AND ITS ATTORNEYS.

21. 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

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL
CITY OF CARTHAGE, MISSOURI
JULY 1, 2020

The Carthage City Council met in Special session on the above date at 2:00 P.M. via video conference with Mayor Dan Rife presiding. Fire Chief Roger Williams gave the invocation and Police Chief Greg Dagnan led the flag salute.

The following Council Members answered roll call via Zoom video conference: Ray West, Ceri Otero, Mike Daugherty, Alan Snow, Craig Diggs, Ed Barlow, Seth Thompson, James Harrison, Juan Topete, and David Armstrong. City Administrator Tom Short and City Attorney Nate Dally were also present.

The following Department Heads were present via Zoom video conference: Police Chief Greg Dagnan, Fire Chief Roger Williams, Public Works Director Zeb Carney and City Clerk Traci Cox.

Mr. Daugherty made a motion, seconded by Mr. Armstrong, to approve the minutes of the June 25, 2020 Council Meeting. Motion carried unanimously.

There was no old business to conduct.

Under New Business, Consider and discuss closing all public parks to any activity greater than 10 persons. Mr. Snow made a motion, seconded by Mr. Barlow, to form a task force comprised of business leaders, medical professionals, ministerial alliance, City department heads, and council members to develop a plan to guide our way through the pandemic. Mr. Armstrong made a motion, seconded by Mr. Daugherty, to table the current motion until after consideration of C.B. 20-34. Motion carried by a vote of 9-1 with Mr. Snow casting the Nay vote.

Mr. Armstrong made a motion, seconded by Mr. Topete, to close city owned public parks of Carthage, MO to all events greater than ten persons. Mr. Snow made a motion, seconded by Mr. Harrison, to amend the motion to exclude the youth baseball and softball programs, July 4 fireworks, and Jasper County Youth Fair. Motion carried by a vote of 7-3 with Mr. Armstrong, Mr. Topete and Ms. Otero casting the Nay votes. Mr. Armstrong made a motion, seconded by Mr. Daugherty to call the question. Motion carried. Motion as amended to close the city owned public parks to all events greater than ten persons excluding Jasper County Youth fair, July 4 fireworks and youth baseball and softball failed by a vote of 4-6. Nay votes were cast by Harrison, West, Otero, Snow, Diggs, and Barlow.

C.B. 20-33 – An Ordinance of the City of Carthage, Missouri, enacting provisions and regulations on gathering to limit the spread of the COVID 19 pandemic within the City of Carthage, Missouri, and surrounding areas was placed on first reading with no action taken.

Mr. Armstrong made a motion, seconded by Mr. Topete, to follow the emergency protocol and advance Council Bill 20-33 to the second reading. Motion passed 8-2 with Mr. Barlow and Mr. Harrison casting the nay votes.

C.B. 20-33 – An Ordinance of the City of Carthage, Missouri, enacting provisions and regulations on gathering to limit the spread of the COVID 19 pandemic within the City of Carthage, Missouri, and surrounding areas was placed on second reading. Mr. Snow made a motion, seconded by Mr. Armstrong, to amend C.B. 20-33 to include an expiration of July 31 unless extended by the council. Motion carried. As amended, C.B. 20-33 failed by a vote of 5 yeas and 5 nays with Mayor Rife casting the deciding nay vote. Ayes: Armstrong, Daugherty, Snow, Topete, and Otero. Nay: Barlow, Diggs, Harrison, Thompson, and West.

C.B. 20-34 – An Ordinance to require persons to wear facemasks that cover the nostrils and mouth to help restrict the spread of the COVID-19 virus, to establish reasonable exemptions, to set practical enforcement conditions; and containing an emergency clause was placed on first reading. Mr. Thompson made a motion, seconded by Ms. Otero, to amend the order to include an expiration of August 1. Motion carried.

Mr. Armstrong made a motion, seconded by Mr. Topete, to follow the emergency protocol and advance Council Bill 20-34 as amended to the second reading. Motion carried.

As amended, C.B. 20-34 – An Ordinance to require persons to wear facemasks that cover the nostrils and mouth to help restrict the spread of the COVID-19 virus, to establish reasonable exemptions, to set practical enforcement conditions; and containing an emergency clause was placed on second reading. After lengthy discussion, Mr. Armstrong made a motion, seconded by Mr. Topete, to call the question. Motion carried. As amended, C.B. 20-34 failed by a roll call vote of 5 yeas and 5 nays with Mayor Rife breaking the tie and casting a nay vote. Ayes: Armstrong, Daugherty, Otero, Thompson and Topete. Nays: Barlow, Diggs, Harrison, Snow and West.

Mr. Daugherty made a motion, seconded by Mr. Topete, to adjourn the regular session of the Council Meeting. Motion failed.

Mr. Snow's motion to form a task force was brought off of the table for additional discussion. Mr. Daugherty moved to call the question but failed due to lack of a second. Motion to form a task force passed unanimously.

Mr. Topete made a motion, seconded by Mr. Daugherty, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 4:06 PM.

Dan Rife, Mayor

Traci Cox, City Clerk

***PRESENTATIONS/
PROCLAMATIONS***

***PUBLIC
HEARINGS***

PUBLIC NOTICE
PUBLIC HEARING
FOR APPROVAL OF CARTHAGE WATER & ELECTRIC AND CARTHAGE PUBLIC
LIBRARY BUDGETS

The City of Carthage will hold a Public Hearing for approval of the Carthage Water & Electric and Carthage Public Library budgets on Tuesday, July 14, 2020 at 6:30 pm during the City Council meeting. In response to the Coronavirus pandemic and pursuant to the Declaration of Emergency within the City of Carthage, this meeting will be held by on-line video conference. For questions, contact City Clerk Traci Cox (417) 237-7000 or complete a Citizen Meeting Participant Form online at carthagemo.gov.

***OLD
BUSINESS***

COUNCIL BILL NO. 20-31

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 6-35 OF THE CARTHAGE CODE, FOR INSPECTION AND CORRECTION OF UNSAFE CONDITIONS, BY ADDING A REINSPECTION FEE.

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

SECTION I: Section 6-35 of the Code of Carthage is hereby repealed and the following enacted in lieu thereof:

Sec. 6-35. - Inspection and correction of unsafe conditions.

- (a) The electrical inspector may make periodic inspections of the installation of all electrical work in the city. When such electrical work is found to be dangerous or unsafe the electrical inspector shall prepare a written report, in duplicate, stating the defects found to exist, and establishing a time within which the person who owns uses or repairs same shall make the necessary repairs or changes required to place such electrical work in a safe condition. One (1) copy of the report shall be given by the electrical inspector to such person, firm or corporation owning, using or preparing the electrical work found to be dangerous and unsafe.
- (b) *Reinspection fees.*
 - 1. There will be a reinspection fee when extra inspections are necessary due to any of the following reasons:
 - (a) When wrong address is provided.
 - (b) When work is not ready for inspection when called.
 - (c) When work is not installed in compliance with city ordinances and/or applicable codes.
 - (d) In any other event that is of no fault of city inspectors.
- (c) The electrical inspector may order the discontinuance of any electrical wiring or any electrical work found to be defective or improperly installed until the installation of such electrical wiring or electrical work has been made safe as directed by him.
- (d) The connection from the city's electrical distribution system to electrical wiring shall be severed by the electrical inspector or his agents if any unsafe condition or condition in violation of this article is not corrected within thirty (30) days after the person who owns, uses or maintains same receives notice to do so.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Public Works

AN ORDINANCE TO AMEND SECTION 6-17, BUILDING PERMIT FEES OF THE CODE OF THE CITY OF CARTHAGE TO ADJUST BUILDING VALUATIONS FOR THE PERMITTING PROCESS AND ADDING A REINSPECTION FEE.

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

SECTION I: Section 6-17, Building Permit Fees of the Code of the City of Carthage is hereby repealed and the following enacted in lieu thereof:

Sec. 6-17. - Building permit fees.

- (a) In this section "assessed valuation" means the reasonable value of all services, labor, materials, use of scaffolding and other appliances and devices entering into the completion of the work.
- (b) The value of the project in this section shall be computed by one of the following methods and approved by the building official or his designee.
 - a. Provided by the person applying for the permit and verified by the building official.
 - b. Calculated using the building valuation data published in the Building Safety Journal each February issue (on file in the Public Work's Office) based on square footage of the project, and modified for the City of Carthage, using a multiplier of 0.87.

(c) A building permit shall not be issued until the following fees are paid to the city:
 For new structures or for repairs and alterations the building permit fee shall be as follows:
 \$20.00 fee for estimated costs up to \$5,000.00.
 Then \$2.00 per \$1,000.00 over and above \$5,000.00.

- (d) No permit is required for repairs or alterations that do not exceed an assessed valuation of fifty dollars (\$50.00).
 - (e) Amendments to building permits shall not be approved until an additional fee based on the increase in assessed valuation resulting from the work for which the amendment is sought is paid to the city. The fee to be paid shall be as specified in subsections (b) and (c).
 - (1) *Reinspection fees.*
 - a. There will be a reinspection fee when extra inspections are necessary due to any of the following reasons:
 - 1) When wrong address is provided.
 - 2) When work is not ready for inspection when called.
 - 3) When work is not installed in compliance with city ordinances and/or applicable codes.
 - 4) In any other event that is of no fault of city inspectors.
- For each trip, residential: \$25.00, commercial/industrial: \$50.00.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

***NEW
BUSINESS***

COUNCIL BILL NO. 20-35

ORDINANCE NO. _____

An Ordinance authorizing a special use permit for operation of a Daycare School as Requested by Sabrina Lynch for 820 Howard Street, in the City of Carthage, Jasper County, Missouri.

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

SECTION I: A special use permit for the operation of a Daycare School is hereby granted to Sabrina Lynch to be located on real estate described as:

CLOUDS ADDITION LOTS 09 – 14; commonly known as 820 Howard Street, Carthage, MO

SECTION II: Said special use permit is granted in accordance with Chapter 25-251 (12) of 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 _____, 2020.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Planning & Zoning Commission

SPECIAL USE PERMIT PETITION

You must provide all requested information on the application. Blanks may delay processing of your petition. (write 'n/a' if information is not applicable to proposal).



Date: June 2, 2020

Filing Fee: \$100.00

pd. 6/02/20
ck # 1442
MW.

Type of Special Use: (be as specific as possible and cite Zoning Ordinance provision listing use as permitted special use)

Preschool to be located in existing education building

Note: The City's Zoning Ordinance and Comprehensive Plan may be viewed at the City Clerk's Office or the Public Works Department

Modification of previously issued Special Use Permit: Yes No

Property Address: Grace Church, 820 Howard

Location/Legal description: Corner of Chestnut and Howard
Cloud's Addition lots 9, 12, 14 inc

Total site area: 190x420 sq. ft. ~~290~~

Zoning District(s) and land area within each: C historical district, entire

Present Land Use(s): Church (worship, office, education & fellowship areas), columbarium, parking lot, garden, playgrounds

Owner: Grace Episcopal Church

Address: 820 Howard

Tele: 417-358-4631

City: Carthage

State: MO

Zip Code: 64836

Email Address: rector@gracecarthage1869.org

Fax: 417-359-6775

Petitioner: Sabrina Lynch

Relationship to Owner: tenant

(person to whom all correspondence will be sent)

Address: 401 Fox Ridge Dr.

Tele: 417-825-3052

City: Joplin

State: MO

Zip Code: 64801

Email Address: slr2525@hotmail.com

Fax: _____

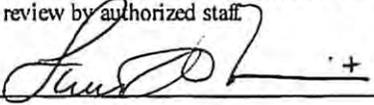
Proposal:

(Attach Special Use Permit Petition Statement of Justification)

Other information: _____

(additional relevant information about the site or proposal you wish to note or cite)

The undersigned property owner(s) hereby authorize the filing of this petition (and any subsequent revisions thereto), and authorize(s) on-site review by authorized staff.

Signature: 

Date: June 2 2020

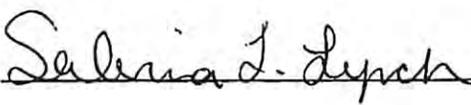
Signature: _____

Date: _____

Signature: _____

Date: _____

The undersigned petitioner hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate.

Signature: 

Date: 6/3/20

Return form to: Public Works Department

Office Use Only:	Date Received: _____	Hearing date: _____	Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No
Permit Required: <input type="checkbox"/> Yes <input type="checkbox"/> No	Permit type: _____ <i>(if applicable)</i>		

SPECIAL USE PERMIT PETITION

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: Sabrina J. Deppa

Date: 6/2/20

185' Property Ownership Map / 820 Howard St



Date created: 5/5/2020
Last Data Uploaded: 5/4/2020 6:05:15 PM

Developed by  Schneider
GEOSPATIAL

COUNCIL BILL NO. 20-36

ORDINANCE NO. _____

An Ordinance authorizing a special use permit for operation of a Daycare Center as Requested by Heather (McLemore) Stark 1701 S. Main St., 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 special use permit for the operation of a Daycare Center hereby granted to Heather (McLemore) Stark to be located on real estate described as: MITCHELL & JACKSONS ADD LOTS 25 & 26

Commonly known as 1701 S. Main St., Carthage, MO

SECTION II: Said special use permit is granted in accordance with Chapter 25-251 (12) of 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 _____, 2020.

Dan Rife, Mayor

ATTEST:

Traci Cox, City Clerk

Sponsored by: Planning & Zoning Commission

SPECIAL USE PERMIT PETITION



You must provide all requested information on the application. Blanks may delay processing of your petition. (write 'n/a' if information is not applicable to proposal).

Date: 9 May 2020

Filing Fee: \$100.00

Type of Special Use: (be as specific as possible and cite Zoning Ordinance provision listing use as permitted special use)

Group childcare home. (daycare)

Note: The City's Zoning Ordinance and Comprehensive Plan may be viewed at the City Clerk's Office or the Public Works Department

Modification of previously issued Special Use Permit: Yes No

Property Address: 1701 S. Main

Location/Legal description:
1701 S. Main Street Carthage, MO 64836

Total site area: 17,424 sq. ft.

Zoning District(s) and land area within each:

Present Land Use(s):
family home / private residence

Owner: Heather Mclemore & Stephen Stark

Address: 1701 S. Main Tele: 417-388-7894

City: Carthage State: MO Zip Code: 64836

Email Address: jvtsplace@gmail.com Fax: none

Petitioner: Heather (McLemore) Stark Relationship to Owner: owner / married to owner

Address: 1701 S. Main Street Tele: 417-388-7894

City: Carthage State: MO Zip Code: 64836

Email Address: jvtsplace@gmail.com Fax: none

Proposal: (Attach Special Use Permit Petition Statement of Justification)

Other information: _____
(additional relevant information about the site or proposal you wish to note or cite)

The undersigned property owner(s) hereby authorize the filing of this petition (and any subsequent revisions thereto), and authorize(s) on-site review by authorized staff

Signature: Heather Stark Date: 9 May 2020
Signature: Stephen Stark Date: 9 May 2020
Signature: [Signature] Date: _____

The undersigned petitioner hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate.

Signature: Heather Stark Date: 9 May 2020

Return form to: Public Works Department

Office Use Only: Date Received: _____ Hearing date: _____ Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No Permit Required: <input type="checkbox"/> Yes <input type="checkbox"/> No Permit type: _____ (if applicable)
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Statement of Justification

1. The proposed group home will not materially endanger the public health or safety.
 - a. The proposed group home will not affect the traffic conditions in the vicinity due to not all families dropping off or picking up children at the same time.
 - b. The proposed group home will not affect the services or utilities in the vicinity.
 - c. The proposed group home will not cause soil erosion and sedimentation.
 - d. The proposed group home will not cause adverse effects on the surface water or ground water.
2. The proposed group home will comply with all regulations and standards that are applicable within the zoning district of the vicinity.
3. The proposed group home will not substantially affect the value of the adjoining property. The group home is a public necessity to the community.
 - a. The proposed group home will not have any conflicts in the character of the development to the surrounding vicinity.
 - b. The proposed group home is necessary to the general welfare of the community as a whole by providing a needed service within the community. It will not have any adverse effects on the surrounding vicinity property values.
4. The proposed group home will be in harmony with the area surrounding the location.
 - a. The proposed group home will not have any conflicts with the surrounding uses or developments.
5. The proposed group home will be consistent with the City of Carthage's Comprehensive Plan.
 - a. The proposed group home will be consistent with the plan's objective for the vicinity.

SPECIAL USE PERMIT PETITION

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: _____



Date: _____



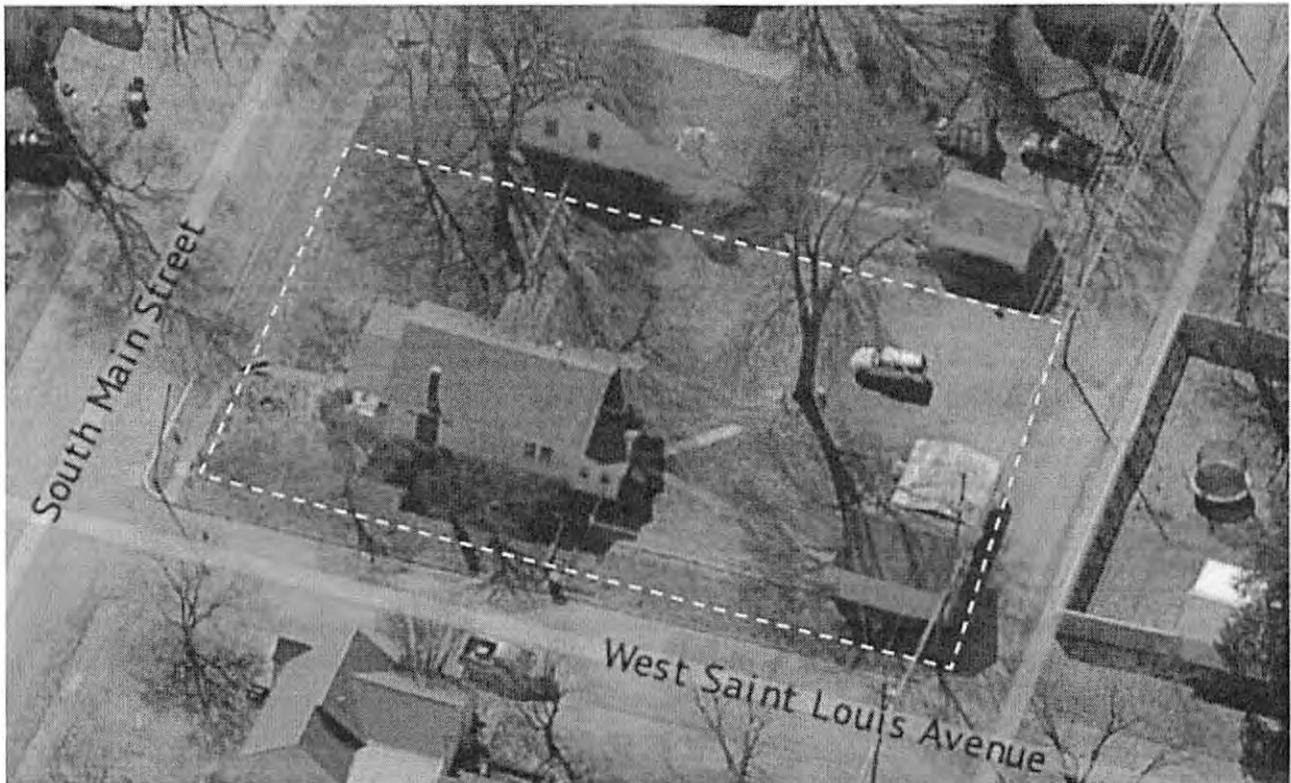
185' Property Ownership Map / 1701 S Main



Date created: 5/19/2020
Last Data Uploaded: 5/18/2020 6:03:46 PM

Developed by  Schneider
GEOSPATIAL

1701 S Main



AN ORDINANCE ADOPTING THE ANNUAL OPERATING AND CAPITAL BUDGET OF THE CARTHAGE WATER & ELECTRIC PLANT (CW&EP) AND THE CARTHAGE LIBRARY FOR THE FISCAL YEAR 2020 - 2021.

WHEREAS, with the passage of the Governor's Stay-at-Home Order, Resolution No. 1897 and the declaration of a state of emergency within the City of Carthage, calling for proactive measures to protect the public health, safety and welfare due to COVID-19 ; and

WHEREAS, according to a MARCH 19, 2020 article in GOVERNING MAGAZINE "No one knows how deep or long the pandemic-triggered recession will be. But nearly every type of government revenue, including income, sales and gas taxes, will take a hit; and

WHEREAS, the Attorney General's Office encouraged public governmental bodies to be mindful of the nature of business discussed or decided during states of emergencies, such as public health crises. However, given the Sunshine Law's goal of maximizing governmental openness, as a best practice it may be advisable for a public governmental body to postpone discussions and votes on higher-profile matters until the state of emergency or crisis has been resolved and the public could resume attending and participating in meetings in person, if such a postponement would not jeopardize the matter; and

WHEREAS, Section 7.4(c) of the City Charter provides if the Council fails to adopt the budget before the last day of the fiscal year currently ending, amounts appropriated for the current operations for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a pro-rated month-to-month basis until the Council shall adopt a budget; and

WHEREAS, the Council has held public hearings on the proposed budget for CW&EP and the Library, after appropriate public notice; and

WHEREAS, the budget shall be adopted by the affirmative vote of a majority of the members of the Council; 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 there from are or will be available to cover the claim or meet the obligation when it becomes due and payable;

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

SECTION I: The budget of the City of Carthage for Fiscal Year 2020-2021 of CW&EP and the Carthage Library, copies of which are attached

hereto and incorporated herein, is hereby adopted.

SECTION II: All amounts specified in said budget are hereby appropriated for said use.

SECTION III: Adoption of the budget by the City Council constitutes approximations of the expenditures for the fiscal year.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

Dan Rife, MAYOR

ATTEST:

Traci Cox, CITY CLERK

Sponsored by: Budget Ways & Means Committee

***MAYOR'S
APPOINTMENTS***

RESOLUTIONS

RESOLUTION NO. 1909

A RESOLUTION APPROVING THE RECOMMENDATION OF THE McCUNE-BROOKS REGIONAL HOSPITAL TRUST FOR THE DISTRIBUTION OF FUNDS (\$25,000) FROM THE RESTRICTED TRUST FUND TO THE AREA AGENCY ON AGING REGION X.

WHEREAS, the City of Carthage established the McCune-Brooks Regional Hospital Trust (Trustee) in December 2011 for the benefit of the citizens of Carthage, as an irrevocable common law trust under Missouri law; and

WHEREAS, the City approved the sale of the Hospital Property, including all property described as the "Leased Property" and the "Assumed Assets" under the Lease, to Mercy-Carthage for the Purchase Price; and

WHEREAS, the remaining amounts paid by Mercy-Carthage pursuant to the Asset Purchase Agreement were deposited in the McCune-Brooks Regional Hospital Trust; and

WHEREAS, the Grantors of the Trust have agreed that as part of the Lease Agreement all net lease proceeds received by Grantor shall be held, administered, and distributed upon the recommendations of the Trustee, subject to the approval of the City Council; and

WHEREAS, the Trustee may at any time make recommendations for distribution of the principal, and net income, subject to the approval of the City Council, for only the following purposes:

- a) to or for the benefit of the welfare and healthcare related purposes of the citizens of the greater Carthage. Missouri metropolitan area;
- b) to reconstitute and provide funds to operate the Hospital, if needed, upon termination of the Lease Agreement;
- c) to pay any liabilities and obligations of McCune-Brooks under the Lease Agreement;
- d) to enforce the terms of the Lease Agreement, including hiring consultants and attorneys;
- e) to pay the costs necessary for McCune-Brooks to continue its affairs during the term of the Lease Agreement and to wind up its affairs during the Lease Term, including the cost of attorneys, auditors and accountants; and

WHEREAS, the Trustee has recommended the distribution of funds pursuant to section a) above, for grant awards to the following recipient:

Area Agency on Aging Region X	\$25,000
-------------------------------	----------

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

That the City Council of the City of Carthage, Missouri does hereby approve the recommendation of the Trustee for the distribution of funds pursuant to section a) above, and the attached application.

PASSED AND APPROVED THIS _____ DAY OF _____, 2020.

ATTEST:

Dan Rife, Mayor

Traci Cox, City Clerk

MINUTES
STANDING
COMMITTEES

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"



06-02-20 PUBLIC WORKS COMMITTEE MEETING MINUTES

Committee Members present: Ceri Otero, David Armstrong, Ray West

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

Citizens: An anonymous guest

The Public Works Committee meeting, via video conference, was called to order at 5:35 p.m. by Vice Chairman Ceri Otero.

A motion was made by David Armstrong to accept the minutes from the May 5, 2020 Committee meeting. All ayes, motion passed.

Citizen Participation: None

Old Business: None.

New Business:

The only item of business was to consider the Council Bill to amend Chapter 6, Sections 7 and 35 to adjust the building valuations for the permitting process. The pricing has not been reviewed and updated since 2006. David Armstrong made a motion to send the council bill on to the Council. All ayes, motion carried.

Other Business:

None.

Staff Reports:

Zeb reported on the following:

Zeb reported that the Fairview Avenue widening project is almost finished up.

River Street widening project is winding down. They should be asphaltting in the next 4 weeks. The River Street bridge replacement is ongoing. The pre-cast beams should be in place the last of June. Both of these projects should be completed by the beginning of the fall school year.

The Recycle Center has opened and is going full steam. The response has been overwhelming since the reopening. We had the biggest day ever on May 23rd.

The traffic signal at River and Fairview is on a 4 way flash. A new controller has been ordered and Ewing Signal will repair the signal light when it arrives.

Tom reported on the following:

Tom, Nate Dally, and Mayor Rife met with the railroad concerning the crossings in town. They are making progress on the repairs to the crossings. David Armstrong brought up a citizen's concerns over the crossing on Chestnut Street. There has been some asphalt placed in the hole for a temporary fix.

Tom met with the TAC committee on May 28th, where he received an update from MODOT and the Governor's Bridge Program.

Ray West made a motion to adjourn the meeting at 6:05 p.m. All ayes, motion carried.

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
TUESDAY, JUNE 23, 2020
5:00 p.m.

COMMITTEE MEMBERS PRESENT: Ceri Otero, David Armstrong, Seth Thompson, and Craig Diggs.

OTHER COUNCIL MEMBERS:

OTHERS PRESENT: City Administrator Tom Short and City Clerk Traci Cox.

Chair Ceri Otero called the meeting to order at 5:00 P.M.

OLD BUSINESS:

Approval of minutes from previous meeting: On a motion by Mr. Diggs, the minutes of the June 9, 2020 meeting were approved 4-0.

Review and approval of the Claims Report: The Committee discussed items regarding the Claims Report. Mr. Armstrong moved to approve the claims. Motion carried 4-0.

NEW BUSINESS:

1. **Consider and Discuss rescinding authorization of withdrawal from Midwest Public Risk of Missouri's Property and Liability Programs for the 2020-2021 policy year:** Ms. Cox reported all issues with MPR had been resolved and there would be an 8% premium increase for property and liability insurance instead of a previously reported 18% increase. The council had previously passed a resolution terminating membership with MPR, and a Resolution rescinding that decision was necessary to remain members of MPR. Mr. Diggs moved to send a Resolution to council rescinding Resolution 1898. Motion carried.
2. **Staff Reports:** None.
3. **Member Reports:** Mr. Armstrong inquired into the status of the salary study and the procedures for approving any changes in job descriptions or reorganizations. Mr. Short explained no major changes were expected to job descriptions, but if there were, they would be approved by this committee.

ADJOURNMENT: Mr. Armstrong made a motion to adjourn at 5:28 PM. Motion carried 4-0.

Traci Cox
City Clerk

***MINUTES
SPECIAL
COMMITTEES
AND BOARDS***

CWEP BOARD MEETING MINUTES

June 25, 2020

The Carthage Water & Electric Plant Board met in regular session June 25, 2020, 1:00 p.m. at the CWEP Office, 627 W Centennial, Carthage, MO.

Board:

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

Staff:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Chuck Bryant-General Manager | <input checked="" type="checkbox"/> Jason Choate-Director of Water Services |
| <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 checked="" type="checkbox"/> Kevin Emery-Director of Power Services |
| <input checked="" type="checkbox"/> Megan Stump- Executive Assistant | <input checked="" type="checkbox"/> Stephanie Howard-Director of Business & ED |
| <input checked="" type="checkbox"/> Meagan Milliken-Customer Relations Mgr. | |

President Beimdiek called the meeting to order at 1:00 p.m.

ADDITIONS/CHANGES TO THE AGENDA: None.

APPROVAL OF MINUTES:

A motion by Baucom and seconded by Lambeth to approve the minutes of the regular meeting of May 20, 2020 as presented passed unanimously.

APPROVAL OF DISBURSEMENTS:

A motion by Goff and seconded by Baucom to approve disbursements for May in the amount of \$2,791,045.17 passed unanimously.

FINANCIAL STATEMENT:

CFO Nugent presented the financials for May noting that the net income for the utility combined was less than both budget and prior year. Overall billings were down from prior year by approximately \$142,000. This is mostly due to the pandemic. Operating revenues for the Communications and Water departments were higher than both budget and prior year for the month and year to date. Revenues were lower than both budget and prior year for the Electric department and lower than budget but higher than prior year for the Wastewater department. Operating expenses for the month were lower than budget for all departments except

Wastewater. The trend continues year to date. She noted that for the year to date power and water loss percentages came in at 2.53% and 12.27%, respectively.

A motion by Baucom and seconded by Lambeth to approve May financials passed unanimously.

COMMITTEE REPORTS: None.

CITIZEN'S PARTICIPATION PERIOD: None.

OLD BUSINESS: None.

NEW BUSINESS:

CONSIDERATION OF BIDS FOR TREE TRIMMING SERVICES

General Manager Bryant noted a formal bid invitation was issued to six prospective contractors to establish an annually renewable agreement for tree trimming and transmission and distribution line clearance services. Bryant reported bids were received from Poor Boy Tree Service, Inc. and Teo's Tree Service. Of those bids received, Poor Boy Tree Service, Inc. met all requested specifications and licensing requirements. GM Bryant recommends awarding this project to Poor Boy Tree Service, Inc. as they have met all requirements and have also provided CWEP with quality and professional services in the past.

A motion by Lambeth and seconded by Baucom to award Poor Boy Tree Services, Inc. for tree trimming and transmission and distribution line clearance services, passed unanimously.

CONSIDERATION OF FISCAL YEAR 2020-2021 BUDGET

GM Bryant and staff presented a budget draft for fiscal year 2020-2021. Board members discussed rates, ongoing infrastructure needs, major items including revenues, operating expenses, capital expenditures and cash reserve projections.

A motion by Baucom and seconded by Schmidt to approve the proposed CWEP Fiscal Year 2020-2021 budget for presentation to the Carthage City Council, passed unanimously.

STAFF REPORTS:

General Manager Bryant gave an update on procedures and precautions taken by staff to avoid the Coronavirus. He commended staff on continuing to step up to the plate during these trying times.

CFO Nugent reported the Customer Service lobby is still closed.

Director of Power Services Emery noted crews have been working on the feeder 16 primary relocation work.

Director of Water Services Choate gave an update on the water main relocation at the roundabout.

General Counsel Ludwig noted staff is working with nonprofit organizations to create a grant program to assist individuals with payment of utility bills She noted money the county received from the CARES act can potentially be used for such a purpose. Ludwig also reported staff is currently working on a new performance review software called Threads.

Director of Business and ED Howard gave an Industrial update.

Customer Relations Manager Milliken reported the mobile outage app is now active and has been very successful. Milliken announced the Community Room is still closed and will be until further notice.

BOARD MEMBER COMMENTS:

Beimdiek expressed his appreciation to staff for adjusting well and adapting to all the precautions needed during the Pandemic.

At 3:36 p.m. a motion by Goff and seconded by Lambeth to close a portion of the meeting into closed session pursuant to Section 610.021(3) of the Sunshine Law, passed unanimously via a roll call vote.

At 4:05 p.m. the meeting reconvened in open session. A motion by Goff and seconded by Schmidt to amend the contract of General Manager Bryant, passed unanimously.

At 4:30 p.m. a motion by Lambeth and seconded by Baucom to adjourn the meeting, passed unanimously.

President – Steve Beimdiek

Secretary – Ron Ross

Draft Copy of Minutes Subject to Approval at the Next Meeting

Planning, Zoning, and Historic Preservation Commission
Meeting 06 July 2020

The Planning, Zoning, and Historic Preservation Commission consists of eleven members: Chairman Harry Rogers, Vice Chairman Abi Almandinger, Bill Barksdale, Jim Swatsenbarg, Levi Utter, and Mark Elliff. Non-Voting Members include Mayor Dan Rife, City Administrator Tom Short and Council Member Liaison Ed Barlow. Staff includes Public Works Director Zeb Carney. There is currently one vacancy on the board.

The July Meeting was conducted by Video Conference.

Commission Members Present: Harry Rogers, Abi Almandinger, Jim Swatsenbarg, Zeb Carney, Mark Elliff, Levi Utter, Ed Barlow, and Bill Barksdale.

Also, present Julie Tilley, and Sabrina Lynch.

A quorum was present.

Chairman Harry Rogers called the meeting to order at 5:31 p.m.

First order of business involved the minutes of the June 2020 meeting. Minutes were available for review in the packet prior to the meeting. Mark Elliff made a motion to accept the minutes as presented. Jim Swatsenbarg gave a second to that motion. Motion passed on a voice vote.

Abi Almandinger made a motion to amend the agenda by removing item #2, a Certificate of Appropriateness for placement of a sign at 820 Howard Street. (Placement is no longer an issue.) Levi Utter gave a second to the motion and on a voice vote, the motion passed.

Second order of business was a request for a Special Use Permit for a Daycare School to be operated at 820 Howard, Grace Episcopal Church. It was discussed that there had previously been a day care at the Church. Abi Almandinger inquired about the drop off and pick up location and Sabrina Lynch advised that it would be at the main entrance from the parking lot. Jim Swatsenbarg made a motion to approve the Special Use Permit. Levi Utter gave a second to that motion and on a voice vote the motion passed and will now be sent to City Council for final approval.

Third order of business was a request for a Certificate of Appropriateness for the placement of exterior signage at 204 East 4th Street. It was learned that the requestor, Amy Nelson, was no longer going to be associated with the business and that her partner, Keith McBride was the responsible party now. Neither Nelson nor McBride were present to answer questions from the board. Bill Barksdale made a motion to deny the Certificate of Appropriateness as the requestor was no longer associated with the business. Abi Almandinger gave the motion a second and on a voice vote, the motion passed, and the request was denied.

There were no further items on the agenda.

Jim Swatsenbarg made a motion to adjourn. Mark Elliff seconded that motion. Motion passed and meeting adjourned.

Respectfully submitted,
Bill Barksdale

***AGENDAS
STANDING
COMMITTEES***

PUBLIC WORKS COMMITTEE

Public Works Department 623 E 7th Carthage MO 64836
Tele: (417) 237-7010 Fax: (417) 237-7011
Email: pwd@carthagemo.gov

"America's Maple Leaf City"



AGENDA TUESDAY EVENING

July 7, 2020 - 5:30 P.M.
PUBLIC WORKS COMMITTEE

Public Works Committee Meeting has been cancelled.

*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.*

Meeting is normally held the first Tuesday of each month
City Hall Conference Room, 2nd Floor
326 Grant Street

--NOTICE OF MEETING--
BUDGET WAYS & MEANS COMMITTEE
MONDAY, JULY 13, 2020
5:30 P.M.
COUNCIL CHAMBERS, CITY HALL
326 GRANT ST., CARTHAGE, MISSOURI
--TENTATIVE AGENDA--

OLD BUSINESS

1. Consideration and approval of minutes from previous meeting.

CITIZENS PARTICIPATION

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

NEW BUSINESS

1. Consider and discuss Council Bill approving the Annual Operating and Capital Budget for Carthage Water & Electric Plant for Fiscal year 2020/21.
2. Consider and discuss Council Bill approving the Annual Operating and Capital Budget for Carthage Library for Fiscal year 2020/21.
3. Consider and discuss Revenue Estimates for Fiscal 2021 Budget.
4. Staff Reports.
5. Other Business.

ADJOURNMENT

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

POSTED: _____

BY: _____

COMMITTEE ON INSURANCE/AUDIT AND CLAIMS
July 14, 2020
5:00 PM

In response to the Coronavirus pandemic and pursuant to the Declaration of Emergency within the City of Carthage, this meeting will be held by on-line video conference. If you would like to listen to the meeting, access information is provided below. For questions, contact City Clerk Traci Cox (417) 237-7000 or [fill out this form](#).

If you would like to listen to the meeting please call by telephone #346-248-7799. You will have to enter the ID# 811 2922 1935 with a password 247260. This will allow you to listen to the meeting.

Old Business

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

Citizens Participation

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

New Business

1. Staff Reports

Adjournment

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

Posted _____

*AGENDAS
SPECIAL
COMMITTEES
AND BOARDS*



AGENDA

Notice is hereby given that the Carthage Water & Electric Plant Board will meet June 25, 2020, 1:00 p.m. at the CWEP Complex, 627 W. Centennial, Carthage. The tentative agenda of the regular meeting includes:

ADDITIONS TO THE AGENDA

APPROVAL OF THE BOARD MINUTES: May 2020

APPROVAL OF DISBURSEMENTS: May \$,2791,045.17

FINANCIAL STATEMENT: May

COMMITTEE REPORTS

CITIZENS PARTICIPATION PERIOD:

OLD BUSINESS: None.

NEW BUSINESS:

1. Consideration of Bids for Tree Trimming Services
2. Consideration of Fiscal Year 2020-2021 Budget

STAFF REPORTS

BOARD MEMBER COMMENTS

The tentative agenda of this meeting also includes a vote to close part of this meeting pursuant to Section 610.021(3) of the Sunshine Law.

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

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

McCune Brooks Regional Hospital Trust
Regular Meeting of the Board of Trustees
June 24, 2020
2:00 p.m.
Schmidt Associates Conference Room

Agenda

- | | |
|--|--------------|
| I. Call to Order | Ron Petersen |
| II. Election of FY 2020-2021 Officers | Ron Petersen |
| III. Approval of February 26, 2020 Meeting Minutes | Ron Petersen |
| IV. Financial Statement Report & Review
Disproportionate Share CMS Appeal | Stan Schmidt |
| V. Review and approval of Grant Application
1. (Held over) Area Agency on Aging, Region X | Ron Petersen |
| VI. Next meeting date | Ron Petersen |
| VII. Adjournment | Ron Petersen |

John Bartosh
Presiding Commissioner

Tom Flanigan
Eastern District Commissioner

Daricus K. Adams
Western District Commissioner

JASPER COUNTY COMMISSION



302 S. Main ST
Carthage, MO 64836

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

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

COMMISSION AGENDA
JUNE 30, 2020
9:00 A.M.
JASPER COUNTY COURTHOUSE ROOM 101

1. CALL TO ORDER
 PRAYER
 PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. PRESENTATIONS
5. REPORTS AND COMMUNICATIONS
6. ELECTED OFFICIALS/CITIZENS REQUESTS
 ♦ **Collector-Submit for Approval Contract for Newspaper Publication for Tax Sale.**
7. COMMISSIONER'S REPORTS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
10. PUBLIC HEARINGS

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

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

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

NOTICE POSTED JUNE 26, 2020 AT 4:00 P.M.

(RSMO 610.020)

CITY OF CARTHAGE

Planning, Zoning, and Historic
Preservation Commission

AGENDA

Date of Meeting: 7/6/2020

Place: ****Meeting By Video
Conference****

Time: 5:30 pm



In response to the Coronavirus pandemic and pursuant to the Declaration of Emergency within the City of Carthage, this meeting will be held by On-line video conference. If you would like to listen to the meeting please call by telephone (312) 626-6799 prior to the start of the meeting. You will need to enter the ID# 819 6302 7820 with a password of 304238. For questions, contact the Public Works Department, at (417) 237-7010 or by email: pwd@carthagemo.gov.

CITIZEN'S PARTICIPATION / PUBLIC HEARING

Due to the threat of COVID-19 infection, Citizens wishing to address the Committee should notify the Public Works Department in advance and provide the item they wish to address in written format by filling out the PZ Participation form at least 24 hours prior to the meeting to pwd@carthagemo.gov. Residents who do not have internet service may call the Public Works Department at (417) 237-7010.

To Consider the following items:

1. Requested by: Sabrina Lynch / Maple Leaf Academy

Request type: Special Use Permit

Project Location: 820 Howard St

Reason for Hearing: Request to consider the operation of a Day Care School

2. Requested by: Sabrina Lynch / Maple Leaf Academy

Request type: Certificate of Appropriateness

Project Location: 820 Howard St

Reason for Hearing: Request for the placement of exterior signage (Tabled on 6/1/2020)

3. Requested by: Amy Nelson

Request type: Certificate of Appropriateness

Project Location: 204 E 4th St

Reason for Hearing: Request for the placement of exterior signage.

Commission Members

Voting Members:	Chairman	Harry Rogers	1350 S Main St	417-358-4527
	Vice Chairman	Abi Almandinger	1220 S Main	417-793-6589
	Secretary	Bill Barksdale	1314 S Garrison	417-388-2464
	Member	Mark Elliff	1511 Grand	417-358-3613
	Member	Levi Utter	502 E Centennial	417-540-6565
	Member	Vacant	Vacant	Vacant
	Member	Jim Swatsenbarg	601 Howard	417-358-1690

Non-Voting Members:	Mayor	Dan Rife	City Hall	417-237-7003
	Councilmember	Ed Barlow		
	City Administrator	Tom Short	City Hall	417-237-7003

Staff:	Public Works Director	Zeb Carney	Public Works Department	417-237-7010
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John Bartosh
Presiding Commissioner

Tom Flanigan
Eastern District Commissioner

Daricus K. Adams
Western District Commissioner

JASPER COUNTY COMMISSION



302 S. Main ST
Carthage, MO 64836

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

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

COMMISSION AGENDA
JULY 7, 2020
9:00 A.M.
JASPER COUNTY COURTHOUSE ROOM 101

1. CALL TO ORDER
 PRAYER
 PLEDGE OF ALLEGIANCE
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
10. PUBLIC HEARINGS

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

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

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

NOTICE POSTED JULY 2, 2020 AT 4:00 P.M.

(RSMO 610.020)

CARTHAGE PUBLIC LIBRARY BOARD OF TRUSTEES
Tuesday, July 14, 2020 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

Roof update

Steadley Building update

Budget Committee

Community Relations

By-Laws

Library Gardens

ADA Compliance

Communications

New Business

Payment of Bills

Adjournment

John Bartosh
Presiding Commissioner

Tom Flanigan
Eastern District Commissioner

Darieux K. Adams
Western District Commissioner

JASPER COUNTY COMMISSION



302 S. Main ST
Carthage, MO 64836

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

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

COMMISSION AGENDA
JULY 14, 2020
9:00 A.M.
JASPER COUNTY COURTHOUSE ROOM 101

1. CALL TO ORDER
 PRAYER
 PLEDGE OF ALLEGIANCE
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
 ♦ **Award the Bid for the Sliding Axle Trailer for the Jasper County Highway Department.**
 ♦ **Accept KPM CPAs Audit of the Jasper County Financial Statements.**
10. PUBLIC HEARINGS

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

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

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

NOTICE POSTED JULY 10, 2020 AT 4:00 P.M.

(RSMO 610.020)

CITY OF CARTHAGE

Zoning Board of Adjustment

AGENDA

Date of Meeting: 7/27/2020

Place: City Hall Chambers
326 Grant St.

Time: 5:30 pm



To Consider the following items:

DRAFT

1. Requested by: Christy Cox / LifeChoices

Project Location: 2337 Fairlawn

Request type: Variance

Reason for Hearing: Request to allow privacy fence to extend beyond the nearest portion of the rear of the building to a point 12' from front property line on the southeast side of the lot.

2. Requested by: Al Carter

Project Location: 914 S Main

Request type: Variance

Reason for Hearing: Request for placement of a detached garage that will encroach upon the 30% rear yard requirement. Request includes encroachment upon separation distance between two structures.

3. Requested by:

Project Location:

Request type:

Reason for Hearing:

4. Requested by:

Project Location:

Request type:

Reason for Hearing:

5. Requested by:

Project Location:

Request type:

Reason for Hearing:

Board Members:	HJ Johnson	330 Lyon	417-358-5174
	Bonham Oney	1431 S Grand	417-358-5013
	Bill Barksdale	1314 S Garrison	417-358-3793
	Jim Swatsenbarg	601 Howard	417-358-1690
	Jerry Poston	1601 S Garrison	417-358-5052

Staff:	City Administrator	Tom Short	City Hall	417-237-7003
	Public Works Director	Zeb Carney	Public Works Department	417-237-7010

CORRESPONDENCE

MCCUNE BROOKS REGIONAL HOSPITAL

FINANCIAL STATEMENTS

APRIL 30, 2020





ACCOUNTANT'S COMPILATION REPORT

McCune Brooks Regional Hospital
3125 Dr. Russell Smith Way
Carthage, MO 64836

Management is responsible for the accompanying financial statements of McCune Brooks Regional Hospital (a nonprofit organization) which comprise the statement of financial position as of April 30, 2020 and the related statements of activities and other changes in net assets for the year-to-date in accordance with accounting principles generally accepted in the United States of America. We have performed a compilation engagement in accordance with Statements on Standards for Accounting and Review Services promulgated by the Accounting Review Services Committee of the AICPA. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these financial statements.

Management has elected to omit substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the financial statements, they might influence the user's conclusions about the Organization's financial position, results of operations, and cash flows. Accordingly, the financial statements are not designed for those who are not informed about such matters.

Schmidt Associates, LLC

May 12, 2020



America Counts on CPAs

1105 Industrial Dr. Carthage, MO 64836 * 401 W. 5th St. Ste. 201 Rolla, MO 64836

McCune Brooks Regional Hospital
Statements of Financial Position
April 30, 2020

Assets

Assets

Cash in bank- New trust disbursement	\$	172.88
New Trust investment		15,756,240.48
Escrow account		<u>5,073,929.62</u>
Total Assets	\$	<u>20,830,342.98</u>

Liabilities and Net Position

Liabilities

Accounts payable	\$	1,560,334.00
Total Liabilities		<u>1,560,334.00</u>

Net Position

Operational capital- Fund balance	19,880,674.78	
Restricted- non expendable	322,626.00	
Retained earnings	<u>(933,291.80)</u>	
Total Net Position	<u>19,270,008.98</u>	
Total Liabilities and Stockholders' Equity	\$	<u>20,830,342.98</u>

See accountant's compilation report.

McCune Brooks Regional Hospital
Statements of Activities

12 Months Ended
April 30, 2020

Income	
Interest and dividend income- bond/escrow	64,795.12
Interest and dividend income-Trust	288,333.38
Interest income	35.40
Other income	16,587.03
Other income- from other trusts	1,442.07
Gain (Loss) realized and unrealized	529,845.13
Total Income	<u>901,038.13</u>
Operating Expenses	
Bank charges	18,173.92
Grants	1,800,000.00
Legal and professional fees	16,000.00
Postage	156.01
Total Operating Expenses	<u>1,834,329.93</u>
Net Income (Loss)	<u>\$ (933,291.80)</u>

See accountant's compilation report.

Application Date: January 2, 2020

MCCUNE BROOKS REGIONAL HOSPITAL TRUST
Data sheet for Organizations
Requesting Grants

PLEASE NOTE: The McCune Brooks Regional Hospital Trust will review the data supplied herein making its determination as to whether or not it will recommend to the Carthage City Council that a grant be made to your organization. However, by reviewing your request and the information supplied herein, the Trust is in no way making any commitment to grant funds to your organization pursuant to this or any other request. Further, the Trust may, at its option, request additional information and such requests by the Trust should not be considered a commitment by the Trust to make any grant to your organization. The Carthage City Council must ultimately approve the Trust's recommendation for funding before any grant of funds can be made.

1. Legal Name of your organization: Area Agency on Aging, Region X
2. Is your organization an organization qualified as a 501 © (3) tax-exempt organization by the IRS or qualified in any other manner by the IRS as a tax-exempt entity? **YES X** No
 - a. If your organization has qualified as a tax-exempt organization, please attach a copy of the IRS qualified letter or such other documentation you are relying upon to establish your organization's tax-exempt status.
3. Please provide your organizations taxpayer identification number: 43-1159115
4. Please write a brief statement of the purpose of your organization.

The Area Agency on Aging is a private not-for-profit corporation serving senior citizens in the four counties of Barton, Jasper, Newton and McDonald in southwest Missouri. Our mission is to facilitate the development of a comprehensive and coordinated system of services to assure that older persons may live independently and with dignity as long as possible and to develop the resources necessary to implement, sustain and expand services as needed.

5. How much money is your organization requesting from the McCune Brooks Regional Hospital Trust? \$25,000
6. When does your organization anticipate the need for funds it is requesting?
We would be able to begin utilizing the funds as soon as they are released to the grantees.
7. Please write a brief statement as to the purpose for which these funds are being requested.

Funds from the McCune Brooks Regional Hospital Trust will be used to upgrade our technology to a HIPPA-compliant, secure server-based system as well as provide for the cost of encrypted email for our staff. Currently, our agency uses aging desktop computers.

Our senior centers are not linked to our central office in any way. We manually copy and physically deliver documents that contain the protected health information of our clients or we use the fax machine. This is time consuming, inefficient and expensive. It is a drain on our precious resources yet investing in our I.T. would take away funds from our nutrition and other programs. Pulling the funding out of our program budget to accomplish this upgrade would be to limit the services we provide to our seniors.

8. If the McCune Brooks Regional Hospital Trust consents to recommend a grant to your organization of the funds requested for the purpose you have set forth in your response to Item 7 above, it will be because the trustee has determined that the purpose forwarded by the grant is for the general welfare and health benefit of the greater Carthage, Missouri metropolitan area. Please write a brief statement as to how this requested grant to your organization will meet these purposes.

We provide over 355,000 meals to seniors in our four county service area. In fiscal year 2019, we served or delivered over 40,000 meals in the city limits of Carthage alone. In the rural areas around Carthage, we delivered over 23,000 meals to seniors who are deemed "home bound". We must obtain confidential information from our clients to provide these services. The HIPAA Security Rule contains standards that must be applied to safeguard and protect electronic protected health information when it is at rest and in transit. Since we do not have the technology to meet this HIPAA Security Rule, we are manually handling documents or transmitting them by fax.

Our agency is dependent upon Federal and State funding, and like many non-profits, we have suffered level funding even though our operating costs have increased significantly due to mandatory wage increases, increased food costs, and increased insurance and other overhead costs. We are currently operating on a budget equivalent to our 2009 budget even though our population continues to grow and our costs continue to increase. What this grant will allow us to do is to make the move to a more efficient, more protected system of tracking our clients information without taking away dollars from the programs we offer.

Specifically in and around the Carthage, MO area, we would be able to securely conduct mobile assessments of our homebound clients without the need for paper. Such information would help us speed the application process for our programs such as home delivered meals, respite, homemaker, caregiver assistance, personal care, case management assistance, and more. We would also not require the Carthage Senior Center Manager to physically bring paperwork to our central office in Joplin, MO each week. This would allow the manager to spend more time with the congregated participants, ensuring the social aspects of our programs are available the entire afternoon instead of closing the center to travel to Joplin.

A central server would allow the Area Agency on Aging, Region X to participate in private payer relationships with providers and payers. At present, we would not pass a HIPAA Security audit making such contracts for services in the community impossible to achieve.

9. What are the sources of funds your organization relies upon to achieve its goals? You need not list individual donors by name. Also provide a balance sheet and income statement for your organization.

In the Carthage, MO area: Missouri Department of Health & Senior Services, Medicaid, MODOT, Steadley Corp.

Balance sheet and income statement attached.

10. Please list the name, address & phone number of the presiding officer of your organization.

Jennifer Shotwell, Chief Executive Officer
Area Agency on Aging Region X, 531 E. 15th St Joplin, MO. 64804
Phone: (417) 781-7562.

11. Please list the names, addresses, and phone numbers of four (4) officers or members of your organization, other than the presiding officer, who will be available to the Trust or Trust's appointee, for the purpose of interviews about the organization and for the purpose of being a source of information about your organization.

- (1) Jasper County Commissioner Darieus Adams (Board Secretary)
Jasper County Courthouse, Carthage, MO 64836
Phone: (417) 358-0421
- (2) Newton County Presiding Commissioner Bill Reiboldt
Newton County Courthouse, Neosho, MO 64850
Phone: (417) 451-8223
- (3) Barton County Presiding Commissioner Mike Davis (Board Chairman)
Barton County Courthouse, Lamar, MO 64759
Phone: (417) 682-4110
- (4) McDonald County Commissioner Dave Holloway
McDonald County Courthouse, Pineville, MO 64856
Phone: (417) 223-2842

12. Please identify an individual for follow-up contact to review effectiveness of the grant, if different from above

Jennifer Shotwell, Chief Executive Officer
jshotwell@aaaregionx.org
Phone: (417) 781-7562

Completed Affidavit **must** be included with application for consideration!

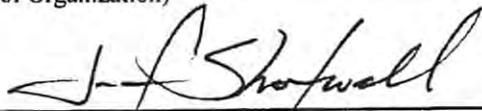
501(c) (3) VERIFICATION AFFIDAVIT

The undersigned, a duly appointed officer of **Area Agency on Aging, Region X**, (hereinafter referred to as the "Organization") hereby certifies that, as of the date shown below, the Organization is operating as an exempt organization as described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, that said Organization has provided to the McCune Brooks Regional Hospital Trust a copy of its letter from the Internal Revenue Service informing the Organization of the determination of its exempt status, and that the Organization has not in the past year lost or relinquished its exemption status for any reason.

Dated this 2nd day of January, 2019.

Area Agency on Aging, Region X

(Name of Organization)

By: 

Signature

Jennifer Shotwell, Chief Executive Officer

Typed Name and Title

Submit this completed application to:

**McCune Brooks Regional Hospital Trust
c/o Schmidt Associates
1105 Industrial Drive
Carthage, MO 64836**

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAR - 1 2005

AREA AGENCY ON AGING REGION X
PO BOX 3990
JOPLIN, MO 64803-3990

Employer Identification Number:
43-1159115
DLN:
17053244010004
Contact Person:
DEL TRIMBLE ID# 31309
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
JUNE 30
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
YES
Effective Date of Exemption:
AUGUST 27, 2004
Contribution Deductibility:
YES
Advance Ruling Ending Date:
JUNE 30, 2009

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DC/CG)

SCHEDULE A

AREA AGENCY ON AGING REGION X
 STATEMENT OF FINANCIAL POSITION
 FOR YEAR ENDED JUNE 30, 2019
 WITH COMPARATIVE TOTALS FOR YEAR ENDED JUNE 30, 2018

	FY 19	FY 18
<u>ASSETS</u>		
Cash and cash equivalents	\$ 373,710	\$ 739,115
Receivables:		
Missouri Department of Health and Senior Services	65,777	8,855
Missouri Division of Medical Services	66,457	124,568
Prepaid expenses	8,901	8,427
Land & Equipment, net of depreciation	512,410	452,349
TOTAL ASSETS	<u>\$ 1,027,254</u>	<u>\$ 1,333,314</u>
<u>LIABILITIES</u>		
DHSS funds held in trust	\$ 26,468	\$ -
Accounts payable	135,241	124,939
Accrued Payroll and Taxes	156,664	152,619
TOTAL LIABILITIES	<u>\$ 318,373</u>	<u>\$ 277,558</u>
<u>NET ASSETS</u>		
Without donor restrictions	\$ 518,259	\$ 497,026
With donor restrictions	190,622	558,730
TOTAL NET ASSETS	<u>\$ 708,881</u>	<u>\$ 1,055,756</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 1,027,254</u>	<u>\$ 1,333,314</u>

Note:

Financial assets available within one year of the balance sheet date for general expenditures are as follows:

	<u>FY 19</u>	<u>FY 18</u>
Cash and Cash equivalent	\$ 373,710	\$ 739,115
Accounts receivable-DHSS	65,777	8,855
Accounts receivable-Division of Medical Services	<u>66,457</u>	<u>124,568</u>
	\$ 505,944	\$ 872,538
Financial Assets		
Less those unavailable for General Expenses within one year due to:		
Contractual or donor-imposed restrictions		
Restricted by donor with time or purpose restrictions	<u>\$ 190,622</u>	<u>\$ 558,730</u>
Financial assets available to meet cash needs for general expenditures within one year.	<u>\$ 315,322</u>	<u>\$ 313,808</u>

AAAX endowment funds consist of donor-restricted endowments. Income is restricted for specific purposes, therefore, is not available for general expenditure. As part of AAAX liquidity management, it has a policy to structure its financial assets to be available as it's general expenditures, liabilities and other obligations come due.

AREA AGENCY ON AGING REGION X
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED JUNE 30, 2019
WITH COMPARATIVE TOTALS FOR YEAR ENDED JUNE 30, 2018

	← June 30, 2019 →			← June 30, 2018 →		
	Net Assets Without Donor Restrictions	Net Assets Temporarily Restricted	Total	Net Assets Without Donor Restrictions	Net Assets Temporarily Restricted	Total
Revenue						
Missouri Dept. of Health and Senior Services	\$ 1,759,841	\$ -	\$ 1,759,841	\$ 1,849,604	\$ -	\$ 1,849,604
Missouri Highway and Transportation Dept.	39,875	-	39,875	41,348	-	41,348
Missouri Division of Medical Services-HDM	762,925	-	762,925	787,473	-	787,473
Program Income	319,908	-	319,908	306,184	-	306,184
Other cash-DHSS match	373,874	-	373,874	200,170	-	200,170
Other cash-non DHSS match	45,667	(1,094)	44,573	3,669	41,816	45,485
FASB qualifying in-kind resources-SS Match	505,217	-	505,217	445,217	-	445,217
FASB qualifying in-kind resources-SS Match	-	-	-	-	-	-
Total operating support and Revenues	\$ 3,807,107	\$ (1,094)	\$ 3,806,013	\$ 3,633,665	\$ 41,816	\$ 3,675,481
Net assets released from restrictions:						
Restrictions satisfied by time	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Restrictions satisfied by usage	-	-	-	308,667	(308,667)	-
Total Net assets released from restrictions	\$ -	\$ 1,094	\$ -	\$ 308,667	\$ (308,667)	\$ -
Total support and Revenues						
EXPENDITURES:						
Management & General	\$ 114,709	-	\$ 114,709	\$ 108,608	-	\$ 108,608
Supportive Services	450,171	-	450,171	444,991	-	444,991
Ombudsman	56,355	-	56,355	55,107	-	55,107
Congregate Program	1,401,238	-	1,401,238	1,262,085	-	1,262,085
Home Delivered Program	1,918,834	-	1,918,834	1,719,166	-	1,719,166
Disease Prevention & Health Promotion	34,221	-	34,221	34,410	-	34,410
Family Caregiver	151,274	-	151,274	140,221	-	140,221
Special Programs	27,180	-	27,180	30,837	-	30,837
Fundraising	-	-	-	-	-	-
Total Expenditures	\$ 4,153,982	\$ -	\$ 4,153,982	\$ 3,795,425	\$ -	\$ 3,795,425
CHANGE IN NET ASSETS	\$ (346,875)	\$ -	\$ (346,875)	146,907	(266,851)	\$ (119,944)
NET ASSETS, July 1, 2018	497,026	558,730	1,055,756	350,119	825,581	1,175,700
NET ASSETS, June 30, 2019	\$ 150,151	\$ 558,730	\$ 708,881	\$ 497,026	\$ 558,730	\$ 1,055,756

Note: Net Assets were released from donor restrictions by incurring expenses satisfying the restricted purposes or by occurrence of the passage of time or other events specified by donors.

"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 be 5 members or 10 members). If the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

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

To Debate or Not to Debate

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

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

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

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

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

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

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

Majority and Super-Majority Votes

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

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

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

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

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

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

The Motion to Reconsider

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

A motion to reconsider requires a majority vote to pass, but there are two special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the body. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and by a 2/3 majority, can allow a motion to reconsider to be made at another time.) Second, a motion to reconsider can only be made by 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.