

Minutes Of The Meeting Of The City Council
City of Carthage, Missouri
May 14, 2019

The Carthage City Council met in regular session on the above date at 6:30 PM in the City Hall Council Chambers 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: Ray West, David Armstrong, Mike Daugherty, Ceri Otero, Darren Collier, Alan Snow, Kirby Newport, Ed Barlow, Juan Topete, and James Harrison. City Administrator Tom Short and City Attorney Nate Dally were present.

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

Mr. Daugherty made a motion, seconded by Mr. Collier, to approve the minutes of the April 23, 2019 Council Meeting. Motion carried unanimously.

No citizens were present to speak during Citizens Participation Period.

Mr. Snow reported the Budget, Ways and Means Committee met on May 8 and May 13. The budget process from the committee standpoint is complete. Staff will be putting together the final budget packets, and agreements have been sent out to the agencies for approval.

Ms. Otero reported the Committee on Insurance/Audit & Claims met on this date in the City Hall conference room and approved the claims. The contract with Simmons Bank for banking services was reviewed and is being presented in C.B. 19-19. The workers compensation audit has been completed. Mr. Carney was present at the meeting to discuss C.B. 19-20.

Mr. Harrison reported the Public Safety Committee meeting is between meetings with the next meeting scheduled for May 20 in the conference room at City Hall.

Mr. Topete reported the Public Services Committee met on May 9. Bids for new playground equipment at Fair Acres were reviewed. Mr. Topete made a motion, seconded by Mr. Daugherty, to purchase cushioning material and equipment under Option #3 from Athco for \$56,795.00. Mr. Topete withdrew his motion. Mr. Topete amended his motion to include the rock climbing feature. Mr. Topete withdrew that motion. Mr. Topete then made a motion, seconded by Mr. Daugherty, to accept Option #3 from Athco for \$56,795.00 with the possibility of adding a rock climbing feature contingent upon staying under the budget of \$58,000.00. Motion carried.

Mr. Daugherty reported the Public Works Committee met on May 7. A project with MoDOT at Fairview and Garrison to construct ADA approved sidewalks was discussed.

Special Committee and Board Liaison reports were given by Mr. Topete for the Tree Board and Kellogg Lake Board, Mr. Armstrong for the Powers Museum, Ms. Otero for the Jasper County Commissioners, Harry S. Truman Coordinating Council and Humane Society and Mr. Collier for the Carthage Water & Electric Plant Board.

Mayor Dan Rife reported on registrations for the MML Annual Conference, his attendance at National Day of Prayer, and thanked Ms. Otero for presenting a Proclamation at the Arbor Day celebration at the school.

During reports of Council Members, Mr. Daugherty stated his family had planted an Elm tree in honor of Arbor Day. Ms. Otero stated she appreciated the opportunity to attend the Arbor Day event at the school. Mr. Snow asked Mayor Rife if a Council Work Day had been scheduled. Mayor Rife stated he is working on it. Mr. Snow discussed the need for a liaison to be appointed to the Over 60 Center and stated Mr. West had volunteered for the appointment. Mr. Newport thanked the Budget Committee for their hard work and discussed the Carthage Humane Society and their work on the feral cat colonies. Mr. Newport made a motion, seconded by Mr. Armstrong to pull C.B. 18-30 off the table for consideration. Council Members want to remain transparent with debating the feral cat issue and it will still be discussed at the May 20 meeting of the Public Safety Committee. City Attorney Dally stated there currently isn't anybody managing the feral cat policy, and it would require a simple majority to bring the C.B. back for consideration. Motion carried unanimously to bring C.B. 18-30 off the table for first reading. Mr. Barlow thanked the Budget Committee for allowing him to participate at the meetings. Mr. Harrison discussed the accomplishments of his son, Kenny, for passing the Highway Patrol exam and becoming a national track champion. Mr. Armstrong discussed the hiring process for Mr. Peterson noting the recent Lateral Recruitment Policy that was passed. Mayor Rife explained the hiring was handled like other department heads in the past, and it is a negotiating process. The salary was based on results from an MML survey.

City Attorney Nate Dally discussed an upcoming mediation meeting regarding the lawsuit with the railroad and future regulations regarding medical marijuana cultivation and dispensaries.

Police Chief Greg Dagnan discussed marijuana dispensary regulations.

Fire Chief Roger Williams reported on work the Fire Department employees are doing at Fire Station #2 with a "soft" opening potentially scheduled for May 30. He also reported on a Fishing Day with special needs children.

Parks & Recreation Director Alan Bull reported the swimming pools are being filled.

City Administrator Tom Short reported on the following: the conclusion of the budget hearings, Vision Carthage meetings, MoDOT installing signage to alert traffic to the new Fire Station entrance, a meeting with Beimdiek Insurance Agency, the upcoming council orientation meeting, sales tax revenues and golf course rounds and revenues.

The Committee on Claims filed a report in the amount of \$3,286,265.43 against the following funds: General Revenue \$107,202.36, Public Health \$491.71, Parks Stormwater \$296,846.43, Public Safety \$1,900.00, Golf Course \$6,451.57, Lodging \$8,500.00, Civic Enhancement \$330.75, Judicial Education \$325.00, Fire Protection \$1,119.74, Capital Improvements \$364,138.32, Payroll \$498,959.55 and Carthage Water & Electric \$2,000,000.00. Ms. Otero made a motion, seconded by Mr. Armstrong to accept the report and allow the claims. Motion carried.

Under old business, C.B. 19-17- An Ordinance amending the Annual Operating and Capital Budget of the City of Carthage for fiscal year 2018-2019 was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, Topete, and West. The council bill was approved and numbered Ordinance 19-19.

C.B. 19-18- An Ordinance authorizing an agreement between the City of Carthage and the County of Jasper for collection of real estate taxes was placed on second reading followed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, Topete, and West. The council bill was approved and numbered Ordinance 19-19.

Under new business, C.B. 18-30- An Ordinance to amend Chapter 4, Articles I and II of the Code of Carthage regarding Animals, to repeal the language regarding the managed care of Feral Cats was placed on first reading with no action taken.

C.B. 19-19- An Ordinance authorizing the Mayor to enter into a contract with Simmons Bank for banking services was placed on first reading with no action taken.

C.B. 19-20- An Ordinance authorizing the Mayor to execute a Supplemental Agreement between the City of Carthage, the Missouri Highway and Transportation Commission and the Missouri & Northern Arkansas Railroad Company, Inc. providing for the installation of various safety improvements at an existing public highway/rail grade crossing in Carthage, Missouri, where Chestnut Street intersects Railroad's tracks at a point known as DOT Crossing #434 was placed on first reading with no action taken.

Mr. Daugherty made a motion, seconded by Ms. Otero, to approve the Mayor's reappointment of Harry Rogers to the Planning, Zoning & Historic Preservation Commission until April 2021 replacing Josh Cahoon. Mr. Armstrong moved to split the appointment vote , seconded by Mr. Newport. Motion carried on a vote of 9-1 with Mr. Daugherty casting the nay vote. Mr. Daugherty made a motion, seconded by Mr. Collier, to approve the Mayor's reappointment of Harry Rogers to the Planning, Zoning & Historic Preservation Commission until April 2023. Motion carried on a vote of 8-2 with Mr. Armstrong and Mr. Newport casting the nay votes. Mr. Daugherty made a motion, seconded by Mr. Harrison, to approve the Mayor's appointment of Jeff Steffen to the Care Leave Committee until April 2021 replacing Josh Cahoon. Motion carried 9-1 with Mr. Armstrong casting the nay vote.

Mr. Armstrong made a motion, seconded by Mr. Newport, to approve Resolution 1869- a Resolution approving the declaration of dated, damaged, and/or obsolete culverts as surplus to the City's needs and authorizing their disposition. Resolution passed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, Topete and West.

During closing remarks, Mr. Collier commented that he is hopeful the Supreme Court ruling banning marking of tires

Mr. Topete made a motion, seconded by Mr. Daugherty, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 7:41 PM.

There was a short recess.

City Clerk Traci Cox administered the Oath of Office to Council Members James Harrison, David Armstrong, Raymond West, Ceri Otero, Alan Snow and Ed Barlow.

Mayor Rife called the meeting to order. The following Council Members answered roll call: Juan Topete, James Harrison, Ray West, David Armstrong, Mike Daugherty, Ceri Otero, Darren Collier, Alan Snow, Kirby Newport and Ed Barlow.

Mr. Daugherty made a motion, seconded by Mr. Collier, to approve the Mayor's Committee and Board Appointments. Motion carried to approve the Mayor's Committee and Board Appointments.

Mr. Armstrong made a motion, seconded by Mr. Newport, to elect Ceri Otero as Mayor Pro Tem. Motion carried. There were no other nominations.

Under new business, C.B. 19-15- An Ordinance annexing certain adjacent territory into the City of Carthage, Jasper County, Missouri was placed on first reading with no action taken.

C.B. 19-16- An Ordinance authorizing the Mayor to enter into a contract with Dennis and Carolyn Detert, for the City of Carthage to purchase real estate commonly known as the Driving Range on Robert Ellis Young Drive, Carthage, Missouri for \$186,500.00 was placed on first reading with no action taken.

Mr. Armstrong made a motion, seconded by Mr. Harrison, to take Resolution 1866 off of the table. Motion carried unanimously. Mr. Armstrong made a motion, seconded by Mr. Harrison to approve Resolution 1866- A Resolution approving the recommendation of the McCune-Brooks Regional Hospital Trust for the Distribution of Funds from the Restricted Trust Fund. Resolution passed by a roll call vote of 10 yeas and 0 nays. Ayes: Armstrong, Barlow, Collier, Daugherty, Harrison, Newport, Otero, Snow, Topete, and West.

During closing remarks, Mr. Collier commented that he is hopeful the Supreme Court ruling banning marking of tires will get overturned.

Mr. Harrison made a motion, seconded by Mr. Daugherty, to adjourn the regular session of the Council Meeting. Motion carried and meeting adjourned at 7:55 PM.