

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**February 19, 2013 - 7:00 p.m.**  
**City Hall – Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Eugene Tindall gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

A quorum being present, Mayor Davidson called the meeting to order at 7:02 p.m.

**ROLL CALL**

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart, David Ruth, Tom Workman.

CITY OFFICERS PRESENT: Steven Hays, City Attorney; and Nora Houdyshell, City Clerk.

CITY STAFF PRESENT: Mike Eads, Fire Chief; Pete Ramsour, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; Dana Daniel, Development Services Director.

**APPROVAL OF AGENDA**

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the agenda as presented.

It was the consensus of the council to approve the agenda as presented.

**CONSENT AGENDA:**

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the consent agenda items as listed.

Roll call vote:

Charles Collinsworth - Yes, Richard Davidson - Yes, Steve Hart – Yes,  
David Ruth – Yes, Tom Workman - Yes.

Motion carried.

**MINUTES:**

The minutes of February 5, 2013 Regular Session, February 5, 2013 Closed Session and February 8, 2013 Special Session were approved as presented.

**PROCLAMATION**

Mayor Davidson stated the following proclamation was issued on March 7, 2013.

March Employer of the Month – Beck Floral

**WHEREAS**, the Neosho City Council recognizes selected Employers of our Community for their contribution to the Growth of our Economic Development Base and overall support to the Neosho local Economy; and the selected organization for the month of March, 2013 is *Beck Floral & Gifts*; and

**WHEREAS**, George Beck, the original Founder of *Beck Floral & Gifts*, built the building and opened the original *Beck Floral & Gifts* in 1966, and sold the thriving business to his son, Elmer and wife Sally in July 1972. In 2004, John and Lisa Kissel purchased the business, as Lisa had worked there for 23 years as a floral designer; and

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**WHEREAS, Beck Floral and Gifts** through Lisa and her three full time employees, with their creative knowledge, design, create marvelous floral arrangements from beautiful silk and fresh flowers for every special need and occasion; and

**WHEREAS,** Lisa's Family and Staff are very blessed to be able to share in both the celebrations and sorrows their customers experience throughout their lives. Their loyal customers are the reason for their continued successful business for fifty-three years; and

**NOW THEREFORE,** I, Richard Davidson, Mayor of the City of Neosho, do hereby proclaim **Beck Floral & Gifts** to be Neosho's Employer of the Month for March, 2013. We extend our Congratulations to their employees for their continuous dedication to providing excellence in the field of floral design's and creation.

**In Testimony Whereof,** I have hereunto set my hand and caused to be affixed the Official Seal of the City, in the City of Neosho, this 7<sup>th</sup> day of March, 2013.

/s/ Richard Davidson, Mayor

**VISITORS BUSINESS**

**J.C. Herrell – Apology and Pet License Fees**

Mr. Herrell stated an apology to the Fire and Police Department for the statements made at the prior city council meeting. He further stated he would like to withhold comment regarding pet license fees until after the council has discussed it under new business.

J.C. Herrell stated after the last city council meeting he reviewed the YMCA scholarship application process and the process does cost a \$5.00 fee and still stands by his statement that the city needs a recreation center.

**UNFINISHED BUSINESS**

There was none.

**BID**

The following bid recommendations were presented for consideration.

**Public Works Department – Rotor Bearings for Shoal Creek Wastewater Plant**

Mike Hightower, Public Works Director, informed the council there were four bidders for the rotor bearings for the Shoal Creek Wastewater Plant and recommended the council accept the bid from IBT in the amount \$6,967.10.

**PUBLIC WORKS DEPARTMENT – ROTOR BEARINGS  
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., February 13, 2013 at the Public Works Office.

The following bids were received by:

Applied Industries	\$7,039.78
Motion Industries	\$8,749.44
IBT	\$6,967.10
Bearing Headquarters	\$7,377.02

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to IBT in the amount of \$6,967.10.

Roll call vote:

Richard Davidson - Yes, Steve Hart – Yes, David Ruth – Yes,  
Tom Workman - Yes, Charles Collinsworth - Yes.

Motion carried.

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**Fire Department – Emergency Lighting on Engine 8**

Mike Eads, Fire Chief, stated the 1999 model truck is having issues with emergency lighting and DOT lighting. He further stated he is recommending changing all emergency lighting with LED lighting that will help reduce the load on the alternator. Chief Eads informed the council there were two bidders to replace the emergency lighting on Engine 8 and recommended the council accept the bid from Fire Master in the amount \$8,097.58.

The following bids were received by:

Precision Fire Apparatus	\$9,839.00
Fire Master	\$8,097.58
Jon's Fire Apparatus	No Bid

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to Fire Master in the amount of \$8,097.58.

Discussion followed.

Roll call vote:

Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes,  
Charles Collinworth - Yes, Richard Davidson – Yes.

Motion carried.

**CORRESPONDENCE**

Mayor Davidson stated correspondence had been received by Neosho Bright Futures requesting special fees for golfing and directed City Clerk to forward correspondence to City Manager upon his return and have him check the policy and respond accordingly.

**NEW BUSINESS**

**Bill No. 2013-523...Authorizing the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing for STP-Enhancement Funds for STP-3397(404)...1<sup>st</sup> Reading.**

Bill No. 2013-523 was read by title only by Mr. Hays.

Dana Daniel, Development Services Director reviewed purpose of the transportation enhancement project and informed council the estimated total project cost is \$279,500 of which the federal share of Transportation Enhancement funding requested is \$210,000.

Councilman Ruth confirmed the City's share would be \$69,500.

Mayor Davidson stated he would like to see a five year comprehensive plan before applying for future grants to ensure funding for cost share.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2013-523 on first reading.

Roll call vote:

David Ruth – No, Tom Workman - Yes, Charles Collinworth - Yes,  
Richard Davidson – Yes, Steve Hart – Yes.

Motion carried.

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**Bill No. 2013-524...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013...1<sup>st</sup> Reading. (Swimming Pool Maintenance)**

Bill No. 2013-524 was read by title only by Mr. Hays.

Dana Daniel, Development Services Director reviewed parks recreation budget adjustment for the City Council approved swimming pool expenditure for a new filtering system in the amount of \$22,800 and a new light pole with lights in the amount of \$3,382.

Motion was made by Councilman Workman and seconded by Councilman Ruth to pass Bill No. 2013-524 on first reading.

Roll call vote:

Tom Workman - Yes, Charles Collinsworth - Yes, Richard Davidson - Yes,  
Steve Hart – Yes, David Ruth – Yes.

Motion carried.

**Bill No. 2013-525...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013...1<sup>st</sup> Reading. (Transportation Grant STP-4700 (707)&(708))**

Bill No. 2013-525 was read by title only by Mr. Hays.

Mayor Davidson reviewed this was a project committed by prior management but was delayed due to fiscal responsibilities.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2013-525 on first reading.

Discussion followed by councilmen including, but not limited to curb and guttering and concerns of walkway over railroad track.

Roll call vote:

Tom Workman - Yes, Charles Collinsworth - Yes, Richard Davidson - Yes,  
Steve Hart – Yes, David Ruth – Yes.

Motion carried.

**Resolution Bill No. 2013-02...Authorizing the offering for sale of approximately \$3,195,000 of Special Obligation Refunding Bonds to refinance certain of the City's outstanding lease purchase obligations (Series 2007B Certificates of Participation).**

Resolution Bill No. 2013-02 for Resolution 135-2013 was read by title only by Mr. Hays.

Mr. Pete Ramsour, Finance Director stated this was a request for approval to proceed with Series 2007B Certificates Of Participation refunding and introduced Mr. Jack Dillingham with Piper Jaffray for further explanation.

Mr. Dillingham handed out a breakdown of advantages for this refunding.

Mayor Davidson stated this is available because of the A rating the City received and confirmed the payoff date is for the same term.

Councilman Hart inquired about the golf course debt. Mr. Dillingham confirmed the call date for the golf course was 2016.

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CITY OF NEOSHO, MISSOURI

REFUNDING SPECIAL OBLIGATION BONDS  
SERIES 2013

REFINANCING PLAN

- ◆ S&P "A" rated (expected rating), Refunding Special Obligation Bonds in the amount of \$3,195,000\*.
- ◆ Refinancing the Series 2007B Certificates of Participation ("COP") maturing 2014-2027.
- ◆ Average interest rate of COP being refinanced is 4.74%.
- ◆ Estimated all-in total interest cost of "A" rated refunding issue is 3.11%.
- ◆ Estimated Savings

Total Net Debt Service Savings	\$440,000 / \$29,000 Annually
Net Present Value ("PV") Savings	\$360,000
Net PV Savings as a percentage of Refunded COPs	11.00%
- ◆ Closing is anticipated for approximately April 1 or 2, 2013.

\*Approximate

PiperJaffray.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to adopt Resolution Bill No. 2013-02.

Roll call vote:

Charles Collinsworth - Yes, Richard Davidson - Yes, Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes.

Motion carried.

**Consider approval of service agreement with Deffenbaugh Industries.**

Mr. Daniel stated this is for an on-site dumpster so that non-metal waste can be removed from the recycling center.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to approve the service agreement with Deffenbaugh Industries.

Roll call vote:

Richard Davidson - Yes, Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes, Charles Collinsworth - Yes.

Motion carried.

**Consider approval of Change Order No 1 with Stafford Fence.**

Mike Hightower, Public Works Director stated this \$775.00 change order is to include an additional 25 feet of chain link fence and one four foot wide walk gate with a total contract amount of \$25,653.00.

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Motion was made by Councilman Workman and seconded by Councilman Ruth Change Order No 1 with Stafford Fence

Roll call vote:

Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes,  
Charles Collinsworth - Yes, Richard Davidson – Yes.

Motion carried.

### **Consider amendment to Electric Service Agreement with Empire District Electric to add streetlight(s) on Fairway Circle.**

Mayor Davidson stated he would step down and recues himself from this conversation and abstain from voting as he lives on Fairway Circle.

Mayor Pro-Tem Hart stated he owns the subdivision and will also abstain from this conversation and vote turning the meeting over to former Mayor Pro Tem, Tom Workman.

Motion was made by Councilman Ruth and seconded by Councilman Workman to amend the Electric Service Agreement with Empire District Electric to add a street light at 3021 Fairway Circle and 1392 Hale McGinty Drive.

Roll call vote:

David Ruth – Yes, Tom Workman - Yes, Charles Collinsworth - Yes,  
Richard Davidson – Abstain, Steve Hart – Abstain.

Motion carried.

### **Discussion – Pet License Fees**

Councilman Collinsworth stated a proposal to keep existing fees and ask Judge Wood to increase the fines for citizens who break the City's animal ordinance. He further stated concern regarding fiscal responsibility by decreasing the fees and going further in the hole for these services.

City Attorney Hay stated he would speak with Judge Wood regarding the fees.

Councilman Workman stated we need to be careful to not give it away but the taxpayers expect a certain amount of service.

Councilman Ruth stated he was prepared to keep the fees as they were when it was proposed at the prior city council meeting, however after reviewing fees from surrounding areas, he would now propose to lower the current rates as follows: free lifetime for neutered or spayed; \$20 for non-neutered or spayed; \$25 for pick up fee and \$50 lifetime for non-neutered or spayed.

Councilman Hart proposed the following: free for neutered or spayed; \$20 for non-neutered or spayed; \$25 pickup fee; replacement tag \$3 and no lifetime.

Visitor J.C. Herrell handed out surrounding area pet license fee structures for review and discussion.

Mayor Davidson stated no surrounding areas offer a lifetime tag and agreed with Councilman Collinsworth to increase fines for those who do not follow the rules.

Mayor Davidson further stated his was not an action item on the agenda and suggested a special session meeting to approve the new fee structure before the scheduled pet fair of March 2<sup>nd</sup>.

Without objection the council agreed by consensus to adopt Councilman Hart's proposal and grandfather in current lifetime tag holders.

**REPORT OF CITY OFFICERS**

**Dana Daniel, Development Services Director**

Develop Services Director Daniel stated there will be a future public meeting to discuss the green infrastructure grant.

Mr. Daniel informed council that the City would be providing a city wide clean up.

Dana Daniel updated council of the tree removal project in Big Spring Park.

Mr. Daniel stated bid specs were to be sent out next week for the Big Spring Park stairway project.

**Pete Ramsour, Finance Director**

Mr. Ramsour reviewed monthly financials. He further gave an update regarding the new servers and explained the three phase installation of Springbrook.

**Councilman Hart – Pet Clinic**

Councilman Hart inquired as to which fees would be charged at the pet clinic on March 2<sup>nd</sup>.

Mayor Davidson stated unless a new ordinance is in place before the clinic, the old fees would be enforced.

Mayor Davidson stated the council could hold a special city council meeting for a one time exemption vote before the pet clinic and instructed city clerk to coordinate a date with council.

**APPOINTMENTS & VACANCIES**

Mayor Davidson announced the following vacancies:

**Airport Industrial Development Board:** One vacancy currently exists for a three year term due to the expiring term of Mark Knight beginning October 1, 2012.

**Board of Adjustments (Zoning):** One vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

**Economic Development Sales Tax Committee:** One vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

**Neosho Housing Authority (Oakes):** One vacancy will exist for a term of four years beginning April 1, 2013 and expiring March 31, 2017 for the expiring term of Bill Martz.

Mayor Davidson announced one letter of interest has been received from Mr. Bill Martz.

Motion was made by Councilman Workman and seconded by Councilman Hart to appoint and renew Mr. Bill Martz's four year term to the Neosho Housing Authority for a term to expire on March 31, 2017.

Roll call vote:

Tom Workman - Yes, Charles Collinsworth - Yes, Richard Davidson - Yes, Steve Hart – Yes, David Ruth – Yes.

Motion carried.

**Planning and Zoning Commission:** One vacancy exists beginning August 30, 2102 for the expiring term of Louise Estes.

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**ADJOURN**

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the February 19, 2013 Regular Session City Council meeting.

Motion to adjourn by Councilman Ruth.  
Seconded by Councilman Hart.

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 8:16 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**