

MINUTES
NEOSHO CITY COUNCIL
June 18, 2013 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Buddy Funk gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

A quorum being present, Mayor Davidson called the meeting to order at 7:00 p.m.

ROLL CALL

COUNCIL PRESENT:

Charles Collinsworth
Steve Hart
Tom Workman

Richard Davidson
David Ruth

CITY OFFICERS PRESENT:

Steven Hays, City Attorney
Troy Royer, City Manager
Nora Houdyshell, City Clerk

Mike Eads, Fire Chief
Daphne Pevahouse, Finance Director
David McCracken, Police Chief
Mike Hightower, Public Works
Pam Baker, Human Resources Director
Dana Daniel, Development Services Director

Mayor Davidson stated that Sexton Group is here to streamline the meeting so please speak into the microphone.

AMEND AGENDA

Mayor Davidson stated the agenda will be amended to include the Region M Grant Agreement from Harry S. Truman which needs to be submitted by Thursday in order for them to obtain their funding.

APPROVAL OF AGENDA

Motion was made to approve the agenda as amended by Councilman Workman and seconded by Councilman Hart. The motion passed unanimously.

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of June 4, 2013, Regular and Closed Session and June 12, 2013, Special Session was approved as presented.

VISITORS BUSINESS

There was none.

UNFINISHED BUSINESS

Bill No. 2013-555...Authorizing the Mayor of the City of Neosho, Missouri to execute an STP-Urban Program Supplemental Agreement between the City of Neosho and the Missouri Highways and Transportation Commission...2nd and 3rd Reading.

Bill No. 2013-555 for Ordinance No. 38-2013 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-555 on second and third readings by Councilman Hart and seconded by Councilman Workman

Roll call vote:

Richard Davidson – Yes
Steve Hart – Yes
David Ruth – No
Tom Workman – Yes
Charles Collinsworth - Yes

Motion carried.

Bill No. 2013-556...Authorizing the Mayor of the City of Neosho, Missouri to execute an STP-Urban Program Supplemental Agreement between the City of Neosho and the Missouri Highways and Transportation Commission...2nd and 3rd Reading.

Bill No. 2013-556 for Ordinance No. 39-2013 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-556 on second and third readings by Councilman Workman and seconded by Councilman Collinsworth

Mr. Royer stated the financing for this project is as follows:

Project (707)	\$75,000 from MDFB	Project (708)	\$14,000 from MDFB
	\$23,957 from City	+	\$32,817 from City = \$56,774

\$56,774 will be paid from the budgeted Streets contracts line which as of May financial report contained a balance of \$175,000.

Roll call vote:

Steve Hart – Yes
David Ruth – No
Tom Workman - Yes
Charles Collinsworth – Yes
Richard Davidson – Yes

Motion carried.

BID

The following bid recommendations were presented for consideration.

Public Works – Electric Service for Water Treatment Plant and Wastewater Treatment Plant

Dana Daniel, Development Services Director, informed the council there were three bidders for the wastewater treatment plant's electrical service and recommended the council accept the bid from Long Electric.

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The following bids were received by:

	Business Hours Response Time	After Hours Response Time	Holiday Hours Response Time
Long Electrical	\$44.50 1 hour	\$70.00 2.5 hours	\$90.00 3 hours
Bill's Electric	\$42.00 1-2 hours	\$63.00 2-3 hours	\$84.00 2-3 hours
Service Solutions, Inc.	\$59.75 2 hours	\$87.50 2 hours	\$99.00 2 hours

Mr. Daniel further stated the needs focused on having an electrical contractor who was familiar with these specific operations and how the recent electrical changes and improvements had been installed.

Motion to award bid to Long Electric for electrical services at the water treatment and waste water treatment plants and authorize Mayor to execute by Councilman Workman and seconded by Councilman Hart

Roll call vote:

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

Motion carried.

Development Services – HVAC Service

Dana Daniel, Development Services Director, informed the council there were four bidders for electrical services for city facilities and recommended the council accept the bid from Service Solutions.

The following bids were received by:

	Business Hours Response Time	After Hours Response Time	Holiday Hours Response Time
S&S Maintenance Stark City, Mo	\$50.00 1 hour	\$75.00 1 hours	\$75.00 2 hours
Gunlock Heating & Air Joplin, Mo	\$69.00 4 hours	\$89.00 4 hours	\$99.00 4 hours
Joplin HVAC Joplin, Mo	\$60.00 2 hours	\$90.00 2 hours	\$120.00 4 hours
Service Solutions, Inc. Miami, Ok	\$59.75 2 hours	\$87.50 2 hours	\$99.00 2 hours

Councilman Ruth stated the following concerns: City staff not recommending the low bidder; amount of responses that bid and City staff not providing the mailing list to which the bids were mailed.

Councilman Workman stated concerns about local contractors given the opportunity to bid and the Oklahoma contractor response time and fees.

Councilman Hart echoed concerns regarding local bidders and recommended rebidding the services.

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Mayor Davidson agreed he would like to see the mailing list and asked if the solicitation for bid was posted in the local paper.

Mr. Daniels stated it was on the City website and Facebook page.

Councilman Collinsworth stated it was local contractor's responsibility to be on the City's bidders list.

Discussion followed.

It was the consensus of the Council to strike #2 and #3 under bids and requested City staff to rebid services.

Development Services - Electrical services

Dana Daniel, Development Services Director, informed the council there were three bidders for City facilities electrical services excluding Water and Wastewater Treatment Plants and recommended the council accept the bid from Bill's Electric.

The following bids were received by:

	Business Hours Response Time	After Hours Response Time	Holiday Hours Response Time
Long Electrical	\$44.50 1 hour	\$70.00 2.5 hours	\$90.00 3 hours
Bill's Electric	\$42.00 1-2 hours	\$63.00 2-3 hours	\$84.00 2-3 hours
Service Solutions, Inc.	\$59.75 2 hours	\$87.50 2 hours	\$99.00 2 hours

Motion to award bid to Long Electric for services by Councilman Ruth and seconded by Councilman Workman

City Manager Royer stated Mr. Long is very busy and it is hard for him to respond to smaller jobs.

Discussion followed.

City Attorney Hays stated there is no contract present with Mr. Long's signature and suggested tabling the issue.

Amended Motion to award bid to Long Electrical and authorizes Mayor to execute contingent upon the contractor's signature by Councilman Ruth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Mayor requested vote for original motion.

Roll call vote:

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

Motion carried.

Development Services – Swimming Pool Filters

Dana Daniel, Development Services Director, informed the council there are two options before them regarding the filter system at the City swimming pool and recommends Council approve Option 1.

Option 1: Purchase two additional D.E. filtering units (with valves) and increase size or water lines between the pump and filter units. Work would be performed by City staff.

Polytec Pools	D.E. Filter & Valve	\$992.90 each (Pre-payment required) No charge for shipping
Pool Supply World	D.E. Filter & Valve	\$980.98 each (Pre-payment required) No charge for shipping
Inyo Pools	D.E. Filter & Valve	\$944.98 each (Pre-payment required) Shipping Charges \$190
Blue Water Pools	D.E. Filter & Valve	\$1,500 each
Estimated cost for flange, fitting and piping		\$3,000

Option 2: Purchase of new commercial sand filters to replace the current system. Engineer estimates that life expectancy would be about 10 years. Also included in the purchase would be manifolds, valves, piping and sand. Price would not include any enlargement of current concrete pad for placement of filters. Contractors report that delivery time for these filters can be 3 to 5 weeks after the order is placed. No time frame available for when installation could begin. Prices are accurate on filters, but estimates apply to labor, piping, valves, manifolds and sand, etc.

Fishel Pools	Horizontal Sand Filter	\$64,693*
Westport Pools	Horizontal Sand Filter	\$75,000
Engineering Contract	TR140 Sand Filter (10)	\$36,500*
Engineering Contract	Horizontal Sand Filter	\$45,000*
Engineering Contract	Legacy Filter	\$42,000*
Engineering Contract	Vertical Filter	\$34,000*
Engineering Contract	Harmsco Filer	\$34,000*

*Total price includes estimated cost of \$10,000 for labor, sand, valves, piping.

Mayor Davidson explained there were concerns regarding the size of the filters so an engineer at no cost to the City looked at the filters and flow rates. He further explained the engineer stated with adding two filters to increase flow rate the current system should last five to ten years. Mayor Davidson stated Councilman Ruth, City Manager Royer and City Clerk were present during discussion.

Councilman Hart stated these were residential filters and should be changed to industrial filters.

Councilman Ruth declared the engineer stated it was working but he couldn't answer anything about the specific filters because they were residential.

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Mayor Davidson affirmed the engineer doesn't do installation but he saw that the current filters were working.

Councilman Workman stated concerns regarding funding for filters and public safety.

Discussion followed.

Councilman Hart voiced concerns regarding warranty if we purchased filters from a different company and staff installed. He further stated the City should purchase from Blue Water Pools.

City Manager Royer stated discussions were had and filters would be warranted.

Motion to approve Staff's recommendation of Option 1 with Pool Supply World by Councilman Workman and seconded by Councilman Ruth

Mayor Davidson confirmed to the public that City staff has been testing the pool several times a day and to confirm the findings, the Health Department conducted a test finding no concerns for public safety.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2013-558...Providing that Chapter 405 of the Ordinances be amended by revising Section 405.130(B)(1) of said Code, providing for height regulations for buildings, structures and stand-alone signage and setting an effective date thereof...1st Reading.

Bill No. 2013-558 was read by title only by Mr. Hays.

Mayor Davidson reviewed.

Motion to pass Bill No. 2013-558 on first reading by Councilman Workman and seconded by Councilman Collinworth

Roll call vote:

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

Bill No. 2013-560...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2012 and ending September 30, 2013...1st Reading. (Airport Mapping-MODOT)

Bill No. 2013-560 was read by title only by Mr. Hays.

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Mr. Dana Daniel reviewed.

Motion to pass Bill No. 2013-560 on first reading by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

Bill No. 2013-561...Rezoning the described property located at 607 East south Street, Neosho, Newton County, Missouri, from District R-1, First Dwelling District to R-2, Second Dwelling District as petitioned by Joann Dale...1st Reading.

Bill No. 2013-561 was read by title only by Mr. Hays.

Mr. John Harrington, Code Enforcement stated this is a request for rezoning wherein Planning and Zoning held a public hearing and there was no one to speak against the request. He further stated Planning and Zoning Commission reviewed the application and voted to recommend Council approve the rezoning as requested.

Motion to pass Bill No. 2013-561 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Bill No. 2013-562...Rezoning the described property located at 609 East South Street, Neosho, Newton County, Missouri, from District R-1, First Dwelling District to R-2, Second Dwelling District as petitioned by Carol Dale...1st Reading.

Bill No. 2013-562 was read by title only by Mr. Hays.

Mr. Harrington reviewed.

Motion to pass Bill No. 2013-562 on first reading by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

Bill No. 2013-563...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013...1st Reading. (Golf Course)

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Bill No. 2013-563 was read by title only by Mr. Hays.

Mr. Maron Towse, Golf Course Superintendent reviewed budget adjustment.

Motion to pass Bill No. 2013-563 on first reading by Councilman Ruth and seconded by Councilman Workman

Mayor Davidson stated he has heard a lot of compliments regarding the course.

Councilman Workman stated he spoke to someone who lives on a golf course in Tulsa and he comes here to play.

Roll call vote:

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

Motion carried.

Bill No. 2013-564...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2012 and ending September 30, 2013...1st Reading. (Wastewater)

Bill No. 2013-564 was read by title only by Mr. Hays.

Public Works Director, Mike Hightower stated there were unexpected increased repairs on wastewater equipment at Shoal Creek and Crowder Wastewater plants.

Discussion followed.

Motion to pass Bill No. 2013-564 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Consider approval of the Morpho Trak's Maintenance and Support Agreement.

Police Chief McCracken reviewed.

Motion to approve Morpho Trak's maintenance and support agreement and authorize Mayor to execute by Councilman Workman and seconded by Mayor Davidson

Roll call vote:

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

Motion carried.

Consider approval of the Allgeier, Martin and Associates agreement for Big Spring Park Stairway.

Mr. Daniel reviewed work authorization agreement with Engineers for the Big Spring Park stairway restoration project.

Motion to approve the agreement with Allgeier, Martin and Associates and authorize Mayor to execute in the amount of \$3,050.00 by Councilman Collinsworth and seconded by Councilman Workman

Mayor Davidson confirmed this is for the engineer to supervise the project.

Roll call vote:

Tom Workman – Yes
Charles Collinsworth – Yes
Richard Davidson - Yes
Steve Hart – No
David Ruth – No
Motion carried.

Consider approval of the Construction Services Group agreement.

Mr. Daniel reminded Council after approval of bid process, this is follow up with the Contractor's agreement for restoration of Big Spring Park stairs.

Motion to approve the Construction Services Group agreement it eh amount of \$42,815.00 and authorize Mayor to execute by Councilman Workman and seconded by Mayor Davidson

Mayor Davidson stated Council has pushed for this project to be completed and confirmed the completion date is no later than October 1, 2013.

Roll call vote:

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

Motion carried.

Consider approval of the Hugh Robinson Memorial Airport Lighting Project Exemption Certificate.

Mr. Daniel stated this is to allow the Council approved contractor to purchase necessary materials for the Airport Lighting project.

Motion to approve the Certificate and authorize Mayor to execute by Councilman Ruth and seconded by Councilman Hart

Roll call vote:

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

Motion carried.

Consider approval of the Hugh Robinson Memorial Airport Lighting Project Notice to Proceed.

Mr. Daniel reviewed the Notice to Proceed.

Motion to approve the Notice to Proceed and authorize Mayor to execute by Councilman Workman and seconded by Councilman Collinsworth

Discussion followed.

Roll call vote:

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

Motion carried.

Consider approval of the Region M. Solid Waste Management Agreement.

City Manager Royer reviewed.

Motion to approve the agreement and authorize Mayor to execute by Councilman Workman and seconded by Councilman Ruth

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

City Manager Royer:

City Owned Real Estate – Mr. Royer informed Council a pre-bid walk through and bid opening has been scheduled for the sale of the Burr Crossing property and June 20th is the scheduled date for the asbestos testing on the property also known as the Combs house.

Sewer Rate Averages – Mr. Royer stated the sewer rate averaging for the 5,000 plus citizens have been completed.

Cross Country – Mr. Royer informed Council after voicing concerns to Mr. Thorne, he agreed to allow Cross Country use of the walking trail at the Golf Course.

CID – Mr. Royer stated he has submitted a sunshine request for the money collected by CID from 2006 to current.

Discussions were held by City Attorney and City Council regarding money recoupment, litigation and current standing of the CID, TIF and TDD.

Staff Promotion – Mr. Royer announced that Amy Moritz has been promoted to the Parks Director position and thanked Mr. Daniel for his service in the interim.

City Clerk Houdyshell – Boards

Mrs. Houdyshell reminded Council she was directed at the last meeting to provide policy or procedures from neighboring towns regarding board applicant requirements.

She handed out the following report along with examples of applications.

Letter of interest or word of mouth:

Lake Lotawana	Population	1,939
Marionville	Population	2,226
Monett	Population	8,864
Lamar	Population	4,504

Application:

Fair Grove	Population	1,404
Clinton	Population	8,986
Kirkwood	Population	27,534
Joplin	Population	50,559
Springfield	Population	160,660

Daphne Pevahouse, Finance Director – Financials

Mrs. Pevahouse reviewed financials stating the sales tax is down from 2012 but up 2% from the budgeted amount and the cash in hand is steady.

Mr. Royer stated City staff continues to be fiscally responsible.

Council Direction

City Council directed City Clerk to forward a budget review schedule for FY14.

APPOINTMENTS & VACANCIES (Letters of interest to be considered July 2, 2013)

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.

Parks Recreation and Golf Course Board: The remainder of one three-year term vacancy currently exists due to the resignation of Pat Meredith. This position is due to expire August 30, 2015 and shall be a resident citizen of the City of Neosho.

CLOSED MEETING:

Motion to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; Section 610.021(2) RSMo,...Leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore and Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body by Mayor Davidson and seconded by Councilman Hart

Roll call vote:

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

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Motion carried.

Mayor Davidson closed the meeting at 8:35 p.m.

The meeting reconvened in open session at 9:42 p.m. and Mayor Davidson announced the council conferred with the city attorney and no action or vote was taken.

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 June 18, 2013, Regular Session City Council meeting.

Motion to adjourn by Councilman Workman and seconded by Councilman Collinsworth. Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 9:43 p.m.

APPROVED: NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk