

**MINUTES  
NEOSHO CITY COUNCIL  
July 16, 2013 - 7:00 p.m.  
City Hall – Council Chambers  
203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Aaron Decker 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  
Amy Moritz, Parks & Recreations Director

**AMEND AGENDA**

Mayor Davidson amended the agenda to remove the Finance Department printer bid and add the approval for the Emancipation Day fireworks to be held August 3 & 4.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

Motion to approve the consent agenda items as amended 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.

**MINUTES:**

The minutes of July 2, 2013, Regular was approved as presented.

**PROCLAMATION:**

Mayor Davidson stated that the following certification is being issued on July 16, 2013 and stated appreciation.

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City of Neosho - Employee of the Quarter – Wes Franklin

In recognition for his team work, expertise and experience in public relations, integrity, professionalism, dependability and takes pride in his responsibilities as an employee of the City.

/s/ Richard Davidson, Mayor

**VISITORS BUSINESS**

There was none.

**UNFINISHED 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...2<sup>nd</sup> and 3<sup>rd</sup> Reading.**

Bill No. 2013-558 for Ordinance No. 40-2013 was read by title only by Mr. Hays.

Mayor Davidson reviewed and stated the not to exceed one hundred forty (140) feet versus the not to exceed ninety (90) feet height has been requested.

Motion to pass Bill No. 2013-558 on second and third readings by Mayor Davidson and seconded by Councilman Hart

Councilman Hart would like to add the words unlimited height.

Discussion followed.

City Attorney Hays stated this would pertain to one-half (1/2) mile from any Interstate with in the City limits.

Roll call vote:

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

Motion carried.

**Bill No. 2013-565...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2012 and ending September 30, 2013...2<sup>nd</sup> and 3<sup>rd</sup> Reading. (Wastewater Capital Improvements)**

Bill No. 2013-565 for Ordinance No. 46-2013 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-565 on second and third readings by Councilman Hart and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**BID**

The following bid recommendations were presented for consideration.

**Development Services – Construction Contract for East Spring Street**

Dana Daniel, Development Services Director, informed the council in 2009 Allgeier, Martin and Associates were approved to provide design work for two MoDOT Enhancement Projects but it was delayed due to financial concerns and only recently has moved forward. Mr. Daniel recommended authorizing the Mayor to execute the Letter of Recommendation approving Branco Enterprises for the base and alternate bid.

Motion to award bid to authorize the Mayor to execute the Letter of Recommendation by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**CORRESPONDENCE**

Mayor Davidson announced the Teacher Appreciation Tour being held on August 6<sup>th</sup> as well as the Crowder College Foundation Annual meeting on August 12.

**NEW BUSINESS**

**Bill No. 2013-566...Authorizing the Mayor to execute a contract between the City of Neosho and the Missouri Highway and Transportation Commission providing for Project No. Air 136-096A (Airport Mapping)...1<sup>st</sup> Reading.**

Bill No. 2013-566 was read by title only by Mr. Hays.

Dana Daniel, Development Services Director explained the additional cost as outlined in the Engineer's contract from January 2013, additional funding will be provided from the State in the amount of \$2,619 thereby increasing the City's portion from \$705 to \$996 for this project.

Motion to pass Bill No. 2013-566 on first reading by Councilman Collinsworth 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.

**Bill No. 2013-567...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. (Police Department)**

Mayor Davidson explained the following five items were to work towards keeping our budget current.

Bill No. 2013-567 was read by title only by Mr. Hays.

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Motion to pass Bill No. 2013-567 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. 2013-568...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. (Street, Drainage and Fleet)**

Mike Hightower, Public Works Director reviewed.

Bill No. 2013-568 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-568 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. 2013-569...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. (Water Plant and Wastewater)**

Mike Hightower, Public Works Director reviewed.

Bill No. 2013-569 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-569 on first reading by Mayor Davidson 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.

**Bill No. 2013-570...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. (Water Distribution and Maintenance)**

Mike Hightower, Public Works Director reviewed.

Bill No. 2013-570 was read by title only by Mr. Hays.

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Motion to pass Bill No. 2013-570 on first reading by Councilman Hart 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.

**Bill No. 2013-571...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. (Telephone Service)**

Mrs. Daphne Pevahouse, Finance Director stated due to AT&T fees increasing each without notice, the budget process is difficult.

Bill No. 2013-571 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-571 on first reading by Councilman Hart and seconded by Councilman Workman

Discussion was held to bid telephone services and consult with ProCT for assistance.

Roll call vote:

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

Motion carried.

**Consider approval of alternate electrical service.**

Dana Daniel, Development Services Director stated this is to approve an alternate electrical contractor for City facilities in the event our primary electrician was unavailable.

Motion to approve Bill's Electric to provide alternate electrical services and authorize Mayor to execute by Councilman Workman and seconded by Councilman Ruth

Discussion followed.

Roll call vote:

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

Motion carried.

**Consider approval of deliverables for the EOS Property Mapping Project.**

Dana Daniel, Development Services Director recommended the City Council approve the Title Opinion and Certificate of Title to bring the Airport land records up to date then turned the floor over to Mike Waller with H.W. Lochner, Inc.

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Mr. Waller handed out a summary of the project intent, study of findings and drawings.

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

Roll call vote:

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

Motion carried.

**Consider approval of aggregate of new trail project.**

Dana Daniel, Development Services Director stated this is to provide comparisons between asphalt and concrete for the STP-4700(707) project for sidewalks and curb and gutter along a portion of East Spring Street as well as a trail and small crossing between the Lampo Building and the Helicopter pad. Mr. Daniel recommended using concrete as the aggregate.

Motion to approve the concrete as the aggregate and authorize Mayor to execute by Councilman Workman and seconded by Councilman Hart

Roll call vote:

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

Motion carried.

**Consider approval of the Harry S. Truman Administrative Services Agreement.**

Dana Daniel, Development Services Director stated this is requested by Harry S. Truman Coordinating Council joined by Crowder College to close out a grant received after the 2011 tornado that hit Joplin that the City acted as a pass-thru for.

Motion to authorize Mayor to execute the close out letter by Councilman Workman and seconded by Councilman Ruth

Roll call vote:

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

Motion carried.

**Consider approval of the Ozark Business Systems Agreements.**

Mrs. Daphne Pevahouse, Finance Director stated this is to renew the maintenance agreement for black and white along with color copies for the City Hall printer/scanner/copier.

Motion to approve the maintenance agreements with Ozark Business Systems and authorize Mayor to execute by Councilman Hart 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.

**Consider approval of Emancipation Day fireworks.**

Mr. Wes Franklin, Events Coordinator stated this is to approve a possible fireworks display at the Emancipation Day celebration.

Mayor Davidson announced without objection City Council approves the fireworks display being held at the Emancipation Day event. Unanimously passed by consensus.

**REPORT OF CITY OFFICERS**

**Troy Royer, City Manager – Burr Crossing**

Mr. Royer stated he conducted a pre-bid walk through for the City-owned property on Burr Crossing and solicited bids. He further explained there were no bids received so he will be requesting a closed under real estate for discussion at the next regular scheduled city council meeting.

**Troy Royer, City Manager – Combs House**

Mr. Royer stated there was an asbestos inspection completed and the Public Works Department will start demolition in the near future. Some discussion was held regarding salvaging some materials.

**Troy Royer, City Manager – Golf Course**

Mr. Royer informed Council that the door to the Golf Course will be installed the following day and looking into placing security cameras in the club house.

**Pam Baker, Human Resources Director – Handbook changes**

Mrs. Baker reminded City Council that the suggested personnel handbook revisions were handed out and asked for any input. Mayor Davidson stated he has read through it twice and recommended no changes.

**Daphne Pevahouse, Finance Director – Financials**

Mrs. Pevahouse reviewed financials and handed out a projected fund balance spreadsheet as of June 30, 2013.

**Wes Franklin, Events Coordinator – Celebrate Neosho**

Mr. Franklin handed out a spreadsheet and discussed the report of expenses and revenues for Celebrate Neosho.

**Mayor Richard Davidson – Morse Park and Park Fund**

Mayor Davidson stated due to citizen concerns brought to his attention, he would like to clear up that Morse Park is not being mowed as it once on purpose and there have been no money taken from the Parks fund as it is restricted, to pay towards the Police Department.

**Mayor Richard Davidson – Fire Inspections**

Mayor Davidson stated that inspections conducted by the Fire Department are standard and necessary. He further stated that fire trucks being driven to the inspections are due to lack of staff and necessary in case there is a call during the inspections.

City Manager Royer stated he contacted several surrounding cities for their procedures on conducting fire inspections.

Further discussion was held between City Staff and City Council regarding the timeline, purpose and procedure of fire inspections.

**Mayor Richard Davidson – Budget Discussions**

Mayor Davidson reminded the public that budget discussions were beginning the following Tuesday at The Civic Center. He further stated this is the City Manager's budget to present.

**Councilman David Ruth – CID**

Discussions were held between all City Council and City Attorney regarding, but not limited to, the legitimacy of the CID and amount owed to the City.

City Attorney Hays stated this is a legitimate board and further explained the tax cannot be terminated until all expenses are paid.

**City Attorney Hays – TDD update**

Mr. Hays stated 30 days ago he was contacted by the TDD Attorney with a proposed resolution between the TDD and the City of Neosho. Mr. Hays informed the Council that at this point there has been no resolution therefore a new date for the brief to be submitted is August 16<sup>th</sup>.

Discussion followed.

Without objection, City Council directed City Manager to verify TDD plans drawn by engineers using the outer road north to Hale McGinty.

**APPOINTMENTS & VACANCIES (Letters of interest to be considered August 6, 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.

**Ethics Board:** Two vacancies will exist. One for a term of three years due to the expiring term of David Holley and one for a term of two years due to the expiring term of Charles McFadden, beginning September 1, 2013.

**Parks Recreation and Golf Course Board:** Two vacancies exist. One for the remainder of a 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. One for the expiring one year term of Barbara Lombardi beginning September 1, 2013 shall be a resident of Neosho.

**Planning & Zoning Commission:** Two vacancies will exist for a term of three years due to the expiring terms of David Yates and Mike Spencer, beginning September 1, 2013.

**TIF Commission:** One vacancy will exist for a term of four years due to the expiring term of Jeff Maxwell, beginning September 1, 2013.

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**ADJOURN**

Mayor Davidson asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the July 16, 2013, Regular Session City Council meeting.

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

Mayor Davidson adjourned the closed meeting at 8:53 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**