

MINUTES
NEOSHO CITY COUNCIL
January 3, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Birdsong called the meeting to order at 7:03 p.m.

OPENING PRAYER: Mayor Birdsong

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jim Cole, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of December 20, 2005

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of December 20, 2005

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of December 20, 2005

Motion was made by Councilman Persinger and seconded by Councilman McCormack to approve the minutes of closed session of December 20, 2005

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

PROCLAMATIONS

Mayor Birdsong issued the following proclamation:

PROCLAMATION

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, C-Mac Steel, Inc. began its operations in Neosho in 1998 and has been a part of Neosho since; and

Council Minutes - January 3, 2006

Whereas, C-Mac Steel, Inc. has continued since that time to provide garage door installation, steel roofing and vinyl siding and windows, and install culverts and insulation, increasing the number of employees from 2 to 7, and their facility from 2,400 sq. ft. to the present 15,800 sq. ft.;

Now, therefore, I, Howard Birdsong, Mayor of the City of Neosho, do hereby proclaim C-Mac Steel, Inc. as Neosho's Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 3rd day of January, 2006.

/s/Howard Birdsong, Mayor

Attest: /s/James E. Haddock, Clerk

APPOINTMENTS

Neosho-Newton County Library Board

Mayor Birdsong announced that Kim Hass has submitted a letter of resignation from the Neosho-Newton County Library Board.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to accept the letter of resignation.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. John McCormack was recognized and placed on the agenda and without objection, Visitors Business was forwarded on the agenda.

VISITORS BUSINESS

Mr. John McCormack - Comprehensive Plan

Mr. McCormack addressed the council and inquired about the comprehensive plan; what shape is it in and what has happened to it.

Councilman Werneke informed the council that at the last meeting of the Planning and Zoning Commission in November, the decision was to send the comprehensive plan back to the steering committee for a review before planning and zoning was to approve it and then come to council. A letter was to have been sent from the Chair of Planning and Zoning to all members of the steering committee.

Discussion followed

It was the consensus for Councilman Werneke to contact the planning and zoning commission and for City Manager Cole to contact Mr. Duffy to see that the final steps in the adoption of the comprehensive plan are completed with tentative presentation to the city council scheduled for no later than the second council meeting in February, preferably late January or early February.

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BIDS

Wastewater Dept. - Financing the Lease Purchase of an Ultraviolet Disinfection System

The following bid recommendation and tabulation was presented for consideration:

Memorandum

To: City Manager Jim Cole
Mayor Birdsong
Councilpersons
From: Mike Hightower
Date: January 3, 2006
Re: Financing for Lease Purchase of Ultraviolet system for wastewater plant

We have received proposals for the financing of the Ultraviolet disinfection system for the Shoal Creek wastewater plant. A bid tabulation is attached.

It is my recommendation to go with Community Bank and Trust, Neosho, MO for the five-year term at an interest rate of 4.7125%. This would make our annual payments \$44,687.04, starting March of 2007.

**WASTEWATER DEPARTMENT
UV SYSTEM FINANCING
BID OPENING SUMMARY**

Attached is a compilation of the bids received for Financing for the UV System for the Wastewater Department of the City of Neosho.

The bid opening was held at 10:00 a.m., January 3, 2006 in the Conference Room at City Hall. Present for the opening were Mike Hightower, Utilities Superintendent, Stacy Barnes and Peggy Bogle.

The following bids were received:

Community Bank & Trust 100 S Wood, P.O. Box 400 Neosho, MO 64850	Bid: 5-year 10-year	4.7125% 5.42%	\$44,687.04/year \$25,776.08/year
Baystone Financial Group 2312 Anderson Avenue Manhattan, KS 66502	Bid: 5-year 10-year	4.99% no bid	\$45,383.39/year
Arvest Bank 739 Harmony Street Neosho, MO 64850	Bid: 5-year 10-year	5.75% 6.25%	\$45,977.91/year \$26,808.95/year
Carlyle Financial Services, Inc. 325 North St. Paul Street Suite 800 Dallas, TX 75201-3852	Bid: No bid, please keep on bid list.		
First Municipal Leasing Corp. 1905 Foothills Drive South Golden, CO 80409-9186	Bid: No bid, please keep on bid list.		

Discussion followed.

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Motion was made by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Community Bank & Trust for financing the lease purchase of the UV System for the Wastewater Department for a term of 5-years at an interest rate of 4.7125 percent.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2005-193...Canvassing Nominating Petitions and Calling for a Municipal Election to be held April 4, 2006...2nd & 3rd Readings

Bill No. 2005-193 for Ordinance No. 236-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to pass Bill No. 2005-193 on second and third readings.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2005-194...Creating an Enhanced Enterprise Zone Board...2nd & 3rd Readings

Bill No. 2005-194 for Ordinance No. 237-2006 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to pass Bill No. 2005-194 on second and third readings.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-195...Annexing property located at 17706 Hwy 59 into the corporate limits of the City of Neosho, under District C-3, Commercial Business District Classification as petitioned by Mary E. Elliott...1st Reading

Bill No. 2006-195 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Werneke to pass Bill No. 2006-195 on first reading.

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Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Discuss Terms of Franchise Agreement with Cebridge Connections

Mr. Kevin Lite, Cebridge Connections' District Manager for the State of Missouri, was present and addressed the council.

Mr. Hays stated that he had been dealing with Mr. Greenwood and inquired if Mr. Lite was replacing him.

Mr. Lite answered that he was replacing Mr. Greenwood, and that this was his first day on the job in Missouri, having been newly appointed as district manager and that Mr. Greenwood had informed him of the concerns of keeping an office open in the City of Neosho and that was the only clause in the franchise renewal that was being discussed.

City Attorney Hays informed Mr. Lite that the franchise agreement does include a provision to keep open an office in the City of Neosho, and that Mr. Greenwood had made the statement that he would like that to be taken out of the agreement.

Mayor Birdsong inquired as to why they wanted to close the office.

Mr. Lite stated that we don't want to close the office and there are no plans to close it right now. From the company's perspective, they wanted the option down the road, if times change to where if the traffic isn't coming in like it needs to be, if it needed to be closed that they could. Right now, there are no plans to close the office and it is just a matter of being in the franchise negotiations. Either way, if it is in the franchise or if it is not in the franchise renewal, if we were to decide we would want to close the office, we would come to the council anyway and let you know what our thoughts were. There are no plans to close it right now.

Mayor Birdsong stated that our concern was based on some bad history with previous cable companies and I think that it is important that anyone who has a franchise, and or a contract with the city, has some presence in the community. In the past, when the cable company office closed, people knew who the service technician was; but he was stretched pretty thin. In order to get service, make a complaint, ask a question, you got rolodex-ed to Tyler, Texas; and that got to be frustrating. When people can't go face to face with somebody, then the city council usually becomes that face. In this kind of service, we think it is important that there be a local office. I can't envision any circumstances that would change my mind at this point. I think it's important.

Mr. Lite stated that I certainly agree with you, Mayor. We have over 1,800 valued customers here with video and we have over 400 with high speed data. I truly believe and I agree with you that having a presence in the community is important. It is important to us and I know it is important to the customers and potential customers.

Discussion followed concerning plans to provide service to subdivisions and housing developments that were within the city limits that have not had service ran to them; franchise provisions relating to normal service extensions and extensions to new developments and what would be the cost per foot or whatever that basis would be to provide service; plans for meeting communication requirements for high density television; internet service; the January 23rd meeting with the airport board regarding infrastructure requirements at the airport; cable service within the industrial park; and the broadcasting of programs in stereo.

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Mr. Lite informed the council that he would check into those subdivisions and developments which do not have service and see what the plans are, research those and update the council; that he would also check on the cost per foot to extend cable service; and that he would be attending the airport board meeting on the 23rd of January.

Mr. Hays stated that it would be useful if he could be given a tour of the areas being discussed and inquired of Mr. Lite if there would be a time or would he be available to be in Neosho, if somebody was to set up a time to take him around town. Then maybe we could get a plan prior to getting into the agreement as to what your immediate plans are for extending services to these areas and a deadline or a date as to how long it is going to take that would possibly ease a lot of the issues that are in the agreement at this time.

Mr. Lite replied absolutely.

Mayor Birdsong suggested that the tour be taken in advance of the airport board meeting on January 23, the specific topic is the airport, but to get to the airport you have to go through the industrial park and Crowder housing and this would give a feel as to what could be committed.

It was the consensus of the council that following a report from Cebridge, concerning the issues raised and what their plans are, to consider the franchise agreement at a later date, which would also allow the council to further study the terms of the agreement.

REPORT OF CITY OFFICERS

City Manager Cole - Notification to Commercial Haulers for Trash Collection, Removal and Disposition of Solid Waste, Garbage and Trash

Mr. Cole reported that letters were sent by certified mail to all commercial haulers informing them of the city's intent to contract for the collection, removal and disposition of solid waste, garbage and trash within the City of Neosho.

APPROPRIATIONS

Appropriation Ordinance No. 2170..1st Reading

Master Fund Appropriation Ordinance No. 2170 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman McCormack to pass Master Fund Appropriation Ordinance No. 2170 in the amount of \$306,821.20 on 1st Reading.

Discussion followed and Councilman Smallwood indicated that he would like to withhold the check issued for final payment to Shafer, Kline & Warren in the amount of \$7,660.35 as the comprehensive plan has not been completed

Motion was by Councilman Smallwood and seconded by Councilman McCormack to withhold payment to Shafer, Kline & Warren in the amount of \$7,660.35 and pass Master Fund Appropriation Ordinance No. 2170 in the amount of \$299,160.85 on 1st Reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried as amended.

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Appropriation Ordinance No. 2170..2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2170, as amended, was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2170 in the amount of \$299,160.85 on 2nd & 3rd Readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

CLOSED MEETING

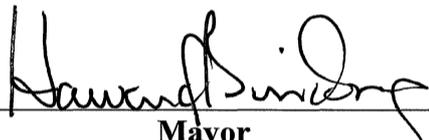
There was none.

ADJOURN

There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 8:00 p.m.

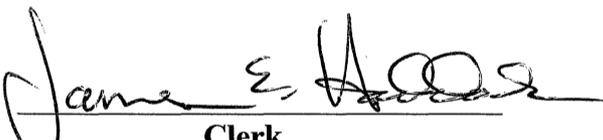
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
January 17, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Councilman Smallwood

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jim Cole, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of January 3, 2006

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to approve the minutes of the regular session of January 3, 2006

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

APPOINTMENTS

Neosho-Newton County Library Board

Mayor Birdsong announced that one vacancy exists for an un-expired term ending June 30, 2007. Applicants shall be residents of the City of Neosho.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Wastewater Dept. - Gear Box

The following recommendation and bid tabulation was presented for consideration.

Memorandum

To: Jim Cole

From: Mike Hightower

Date: January 11, 2006

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RE: Gear Box Bid recommendation

Bids were received for a gearbox and bushing kit for the rotors at Shoal Creek wastewater plant. A bid tabulation is attached.

The low bid came in from Applied Industrial Technologies, Joplin, MO. The total price will be \$5,931.00.

It is my recommendation to accept this bid from Applied Industrial Technologies.

**WASTEWATER DEPARTMENT – GEARBOX
BID OPENING SUMMARY**

Attached is a compilation of the bids received for a Gearbox for the Wastewater Department of the City of Neosho.

The bid opening was held at 10:00 a.m., January 11, 2006 in the Lobby at City Hall. Present for the opening were Stacy Barnes and Peggy Bogle.

The following bids were received:

Applied Industrial Technologies 3909 E. 20 th St. Joplin, MO 64801	Bid: Gear Reducer Bushing Kit	\$5,582.00 \$348.81
Motion Industries P.O. Box 2185 Joplin, MO 64803	Bid: Gear Reducer Bushing Kit	\$7,181.46 \$498.75
Bearing Headquarters 2400 W. 20 th Joplin, MO 64803	Bid: Gear Reducer	\$6,521.18
IBT, Inc. 2701 W. 13 th Joplin, MO 64801	Bid: Gear Reducer Bushing Kit Freight	\$5,890.00 \$350.00 \$125.65

Discussion followed and it was recommended, due to the age and number of rotors, that the department should think about capitalizing the replacement of all the rotors at one time.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Applied Industrial Technologies, Joplin, Missouri, in the amount of \$5931.00 as recommended.

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-195...Annexing property located at 17706 Hwy 59 into the corporate limits of the City of Neosho, under District C-3, Commercial Business District Classification as petitioned by Mary E. Elliott...2nd & 3rd Readings

Bill No. 2006-195 for Ordinance No. 238-2006 was read by title only by Mr. Hays.

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Motion was made by Councilman Persinger and seconded by Councilman Werneke to pass Bill No. 2006-195 on second and third readings. Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

CORRESPONDENCE

Region M Solid Waste Management District

Mayor Birdsong reported that the Region M Solid Waste Management District has asked the Mayor to appoint an alternative representative to attend the Wednesday, February 8, meeting in the event the council's representative could not attend. Councilman Smallwood is the city's representative.

NEW BUSINESS

Bill No. 2006-196...An Ordinance of The City of Neosho, Missouri, Establishing a Real Property Tax Abatement Rate for the City of Neosho/Newton County Enhanced Enterprise Zone Area...1st Reading

Bill No. 2006-196 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to pass Bill No. 2006-196 on first reading. Discussion followed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Bill No. 2006-196...An Ordinance of The City of Neosho, Missouri, Establishing a Real Property Tax Abatement Rate for the City of Neosho/Newton County Enhanced Enterprise Zone Area...2nd & 3rd Readings, under emergency measure

Bill No. 2006-196 for Ordinance No. 239-2006 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Persinger to pass Bill No. 2006-196 on second and third readings, under emergency measure.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-197...Authorizing the City of Neosho to enter into a Lease Purchase Agreement with Community Bank & Trust, as Lessor, with respect to the acquisition of certain personal property (Ultraviolet Disinfection System)...1st Reading

Bill No. 2006-197 was read by title only by Mr. Hays.

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Motion was made by Councilman Smallwood and seconded by Councilman Werneke to pass Bill No. 2006-197 on first reading.

Discussion followed.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider Construction Contract with Branco for replacement of sidewalks around the SE corner of the square

Mr. Cole reported that the sidewalks are being replaced under the Missouri Development Finance Board's guidelines for Tax Credit for Contribution Program and the project will be entirely funded by donations which the city has received.

Motion was made by Councilman Werneke and seconded by Councilman Smallwood to approve the construction contract with Branco for replacement of sidewalks around the SE corner of the square and authorize the Mayor to execute.

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

AMEND AGENDA

The amendment with Empire District to remove one MV Light and add one HPS light at 222 E. Coler Street was removed and four other amendments were added to the agenda.

Amend the agreement with Empire District Electric Co. to add one light and one transformer at Waldo Hatler Drive and Hale McGinty Drive; to add one light at 1308 Hale McGinty Drive; to add one light and one pole at Barton Place and Fox Ridge; and to add one light and one transformer at Baxter Street and Kings Lane.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to amend the Electric Service Agreement with Empire District Electric to approve the amendments as presented.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Abstain.

Motion carried.

Presentation of petition submitted by Scott & Susan Forbes to annex the property located at 1532 Donna Place into the corporate limits of the City of Neosho, under District R-1, First Dwelling House District Classification

The City Council was presented with a petition submitted by Scott and Susan Forbes to annex the property located at 1532 Donna Place into the corporate limits of the City of Neosho, under District R-1, First Dwelling House District.

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The petition was accepted and remanded to the Planning & Zoning Commission for a zoning recommendation prior to public hearing.

Mr. Cole informed the council that the same emergency situation exists with this property, as was the situation with the neighboring properties, to acquire water.

Without objection, it was the consensus of the council to authorize the applicants to hook on the city's water supply at a rate of one and one half times the residential rate until such time as the property is annexed into the city limits.

Presentation of Verified Petition To Establish The Big Spring Plaza Community Improvement District

City Attorney Hays, informed the council that when a petition is submitted to the clerk, the clerk is required to go through the petition, verify that it substantially complies with the statutes; and upon the finding that it is substantially complying, submit it to the council. It will be noticed for public hearing; and then we will have actions thereafter for establishing the district itself. This has been given to Eric. I have assisted with reviewing it with Eric; and it does substantially comply with the statutes.

Mr. Haddock, informed the council a public hearing will be scheduled for February 21, as there are additional requirements to be carried out before the public hearing can be held including public notices published in the newspaper and notices sent to property owners. February 21st will be the earliest date open for holding the public hearing.

REPORT OF CITY OFFICERS

Code Enforcement and Building Inspections

Mr. Michael Pim reported on the city wide cleanup which was held December 26 thru December 29, 2005. The cleanup resulted in 203 loads, with a total weight of 31.73 tons brought to the recycling center.

Mr. Pim also reported that there were 906 cases for the year ending 2005 regarding code enforcement. There were 341 cases involving automobiles; 437 cases regarding trash, appliances, tire, furniture, weeds and grass; and 128 cases regarding houses, all of which are open or pending. Of the total cases, 562 cases were completed; 16 citations were issued; and 328 cases are open or pending. Discussion followed concerning abandoned properties and finding property owners.

Councilman Smallwood - Golf Course

Councilman Smallwood reported on the debt service of the golf course which will pay off in 2019 at a total debt service of approximately 4.2 million dollars and the need to refund and restructure the debt service where it is more manageable. It can be refinanced to pay off in 2031 at a total cost between 6.3 and 6.5 million dollars where the golf course can pay for itself without general fund revenues.

Discussion followed concerning options to refinance the golf course.

It was the consensus of the council to proceed with refinancing the golf course issue.

City Manager Cole

City Manager Cole presented the following letter of resignation.

January 17, 2006

Honorable Mayor Howard Birdsong and Councilpersons

Council Minutes - January 17, 2006

This is to officially notify you that I plan to retire from the City effective March 31, 2006.

I want to thank you for the opportunity to serve as City Manager.

It has been a pleasure and honor serving with you and all the prior mayors and councilpersons.

In my 32 years of service to the City of Neosho I have seen many changes. There have been many improvements made in all departments.

I am very proud that I was given the opportunity to be a part of making the improvements a reality.

The employees of the City are the best. It has been a pleasure working with them also to make the City of Neosho a great place to work and live.

The City is well positioned for the future. I wish the City of Neosho the very best in the future.

Sincerely,

/s/Jim L. Cole
City Manager
City of Neosho

Mayor Birdsong stated that Mr. Cole leaves a legacy that people will be experiencing for years to come and that there have been a lot of good, positive things and things yet to complete that the city will build upon and through his leadership that everybody in the city owes him a great Thank You. It has been a pleasure; and we've gone through some good times and some bad times in the time we have worked together and it has been an honor.

VISITORS BUSINESS: There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2171...1st Reading

Master Fund Appropriation Ordinance No. 2171 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman McCormack to pass Master Fund Appropriation Ordinance No. 2171 in the amount of \$318,157.76 on 1st Reading.

Discussion followed and Councilman McCormack indicated that she would like to issue a check to Shafer, Kline & Warren in the amount of \$7,660.35 for work completed to date on the comprehensive plan, which had been removed from the appropriation ordinance at the last council meeting.

Motion was by Councilman Smallwood and seconded by Councilman McCormack to add the payment to Shafer, Kline & Warren in the amount of \$7,660.35 and pass Master Fund Appropriation Ordinance No. 2171 in the amount of \$325,818.11 on 1st Reading.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried as amended.

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Appropriation Ordinance No. 2171...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2171, as amended, was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman McCormack to pass Master Fund Appropriation Ordinance No. 2171 in the amount of \$325,818.11 on 2nd & 3rd Readings. Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

CLOSED MEETING

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to close the meeting pursuant to Section 610.021(2) RSMo. Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Mayor Birdsong closed the meeting at 8:05 p.m.

RECONVENE IN OPEN SESSION

The meeting reconvened in open session at 9:28 p.m.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to actively engage in the negotiations necessary to proceed with the purchase of the First Baptist Church. Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Abstain, Jeff Werneke - Yes, Howard Birdsong - Abstain.

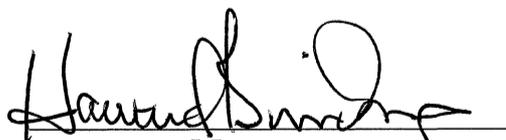
Motion carried.

City Attorney Hays reported that Councilman Werneke has been engaged in these negotiations and will continue to do so.

ADJOURN: There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 9:30 p.m.

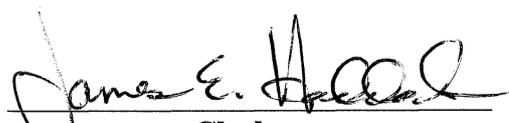
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
February 7, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Mayor Birdsong

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jim Cole, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

PROCLAMATIONS: Mayor Birdsong issued the following proclamation.

Proclamation

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Lyerla Sheet Metal, Heating and Air Conditioning began its operations in Neosho in March of 2001 and has been a part of Neosho since; and

Whereas, Lyerla Sheet Metal, Heating and Air Conditioning has continued since that time to provide the Neosho area with products, sales and services of heating and air conditioning systems - residential, industrial and commercial; and

Whereas, Lyerla Sheet Metal, Heating & Air Conditioning, since beginning their company, has added 14 new employees increasing the number of employees from 1 to 15 and their facility from 2000 sq. ft. to the present 3,500 sq. ft. and are at present under construction of a new building of 8,000 sq. ft.;

Now, therefore, I, Howard Birdsong, Mayor of the City of Neosho, do hereby proclaim Lyerla Sheet Metal, Heating and Air Conditioning as Neosho's February 2006 Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 7th day of February, 2006.

/s/Howard Birdsong, Mayor

Attest: /s/James E. Haddock, Clerk

AWARDS

Mr. Robert (Bob) Swift and Mr. Pat Cline

Mr. Swift and Mr. Cline were presented with the Caring Neighbor Award by Mayor Birdsong and with Letters of Commendation from Sgt. Steve Douglas of the Neosho Police Department for their help in getting medical assistance to an individual to whom they were delivering Meals on Wheels. Sgt. Douglas stated that the actions of Mr. Swift and Mr. Cline probably saved that persons' life.

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APPROVAL OF MINUTES

Regular Session of January 17, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to approve the minutes of the Regular Session of January 17, 2006

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of January 17, 2006

Motion was made by Councilman Persinger and seconded by Councilman McCormack to approve the minutes of the Closed Session of January 17, 2006

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Abstain, Jeff Werneke - Yes, Howard Birdsong - Abstain.

Motion carried.

APPOINTMENTS

Neosho-Newton County Library Board

Mayor Birdsong announced that one vacancy exists for an un-expired term of 3 years ending June 30, 2007, and one letter of interest was received from Phyllis Lewis.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to appoint Ms. Lewis to the Neosho-Newton County Library Board to fill an un-expired term of 3 years ending June 30, 2007.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. Chad Marion was recognized and placed on the agenda.

BIDS

Neosho Fire Department - Two SUV's

The following bid recommendation was presented for consideration.

January 27, 2006

To: City Manager Jim Cole

From: Fire Chief Greg Hickman

Reference: Equipment Purchase

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Attached you will find bids information for the purchase of two (2) 2006 Ford Expeditions. One to be used for the City of Neosho Law Enforcement part of Homeland Security Response Team (Neosho HSRT), of the State Homeland Security Program and one for the Neosho Fire Department. The Neosho HSRT has been allotted \$40,000 by SEMA 2005 Funds for the purchase of this equipment. This is a 100% funding grant from SEMA.

The fire department budgeted \$28,000 from our fund balance for the purchase of a replacement of the 1996 Ford driven by the Fire Chief. Fire department also proposed trade-in of two vehicles: 1996 Ford and 1994 Jeep Cherokee, on our vehicle.

Bid package was for the purchase of 2005 or 2006 Sports Utility Vehicles (SUV)

We received 9 bids were received from 20 bids sent out. All bids received were for 2006 models.

STATE Bid: Putnam Chevrolet-Pontiac of California, Mo.
2006 Chevrolet Trail Blazer;
\$22,760.00 for each vehicle;
No Trade In allowed
Total: **\$45,520.00**

Bids received were as follows:

Griffith Motor, Neosho, for Chevrolet Trail Blazer; \$22,895.65 ea	Total:	\$45,791.30
Less \$2,800.30 trade-in.	Total less trade-ins:	\$42,991.00

Crossroads Chevrolet-Cadillac, Joplin, for Chevrolet Trail Blazer; \$29,325.00 ea	Total:	\$58,650.00
Less \$16,661.20 trade-in.	Total less trade-ins:	\$41,988.80

OPTION: Chevrolet Tahoe; \$37,790.00 ea	Total:	\$75,580.00
Less \$14,590.00 trade-in.	Total less trade-ins:	\$60,989.56

Campbell Vance Ford, Miami, OK, for Ford Explorer XLT; \$22,884.00 ea	Total:	\$45,768.00
Less \$3,000.00 trade-in.	Total less trade-ins:	\$42,769.20

Friendly Ford, Springfield, MO, for Ford Explorer XLT; \$ 22,393.40 ea	Total:	\$44,786.80
Less \$3,200.00 trade-in.	Total less trade-ins:	\$41,586.00

Carthage Ford Mercury, Carthage, MO, for Ford Explorer XLT; \$22,825.00 ea	Total:	\$45,650.00
Less \$3,650.00 trade-in.	Total less trade-ins:	\$42,000.00

Jimmy Michel Motors, Inc, Aurora, MO, for Ford Explorer XLT; \$22,684.00 ea	Total:	\$45,386.00
Less \$3,000.00 trade-in.	Total less trade-ins:	\$42,386.00

Landers McLarty Ford Jeep, Bentonville, AR, for Ford Expedition XLT; \$29,992.96 ea	Total:	\$59,985.92
Less \$1,600.00 trade-in	Total less trade-ins:	\$56,135.92

Gem City Ford Lincoln Mercury, Quincy, IL, for Ford Expedition SSV; \$25,965.86 ea. Price allowed for trade-ins; \$2,500.00 Plus option: Heavy-duty electrical charging system; \$79.00 each	Total:	\$51,931.72
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Additional option not included in bid price:

Heavy-duty tow package \$287.00 each	Total: \$574.00	
	Total:	\$52,505.72

Chief McCracken and myself have reviewed the bids and request for approval to purchase the vehicles proposed from Gem City Ford Lincoln Mercury of Quincy, IL, with options for **\$52,505.72**. The vehicle they proposed Ford Expedition SSV, Special Service Vehicle package, which includes items of vinyl floor covering, 1st row captain's chairs with power driver side, deletion of floor console creating area to mount emergency and communications equipment, skid plates, and steel wheels.

Respectfully:

Fire Chief

Greg Hickman

**FIRE DEPARTMENT – SUV's
WEAPONS OF MASS DESTRUCTION GRANT
BID OPENING SUMMARY**

Attached is a compilation of the bids received for SUV's for the Fire Department and the Police Department of the City of Neosho.

The bid opening was held at 10:00 a.m., January 23, 2006 in the Conference Room of City Hall. Present for the opening were Les Rainwater, Griffith Motor Company, Greg Hickman, Fire Chief, and Peggy Bogle.

The following bids were received:

Carthage Ford Mercury P.O. Box 417, 2920 South Grand Carthage, MO 64836	Bid: 2, 2006 Ford Explorer XLT's at \$22,825 each. Minus \$3,650 Trade Total: \$42,000
Gem City Ford Lincoln Mercury 5101 Broadway, P.O. Box 3505 Quincy, IL 62305-3505	Bid: 2, 2006 Ford Expeditions at \$25,965.86 each Pricing includes trade-in Total: \$25,956.86
Crossroads Chevrolet, Cadillac 1600 East 7 th Street Joplin, Mo 64801	1st Bid: 2, 2006 Chevy Blazers at \$58,650 for both Minus \$16,661.20 Trade Total: \$41,988.80 2nd Bid: 2, 2007 Chevy Tahoes at \$75,580 for both Minus \$14,590.44 Trade Total: \$60,989.56
Landers McLarty Jeep P.O. Box 2119 Bentonville, Ar 72712	Bid: 2, 2006 Ford Expeditions at \$29,992.96 each Minus \$1250 trade for Jeep Cherokee, and \$1350.00 trade for Ford Crown Vicoria Total: \$57,385.92
Campbell Vance Ford 521 N. Main Miami, OK 74354	Bid: 2, 2006 Ford Explorer XLT's at \$22,884.60 each Minus \$3000 Trade Total: \$42,769.20

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Friendly Ford, Inc. 3241 S. Glenstone Springfield, MO 65804	Bid: 2, 2006 Ford Explorers at \$22,393.40 each Minus \$3200 Total: \$41,586.80
Griffith Motor Company 1300 W. Harmony Neosho, Mo 64850	Bid: 2, 2006 Chevrolet, Trailblazers at \$22,895.65 each Minus \$2800 Trade Total: \$42,991
Jimmy Michel Motors, Inc. 555 South Elliot Aurora, MO 65605	Bid: 2, 2006 Ford Explorers at \$45,368 for both Minus \$3000 Trade Total: \$42,368
Les Jacobs Ford-Mercury	No Response
Neosho Chrysler-Dodge-Jeep	No Response
Neosho Ford Mercury	No Response
Village Chevrolet-Buick-Oldsmobile-Pontiac-GMC	No Response
Spradling Motors, Inc.	No Response
Mayes Auto Group	No Response
Pinegar Chevrolet	No Response
Putnam Chevrolet-Pontiac Inc	No Response
Kenny Neal Ford	No Response
Joe Machens Ford	No Response
Cheek Auto Mall, Inc.	No Response
George Nunnally Chevrolet, Inc	No Response

Discussion followed.

It was the consensus of the council to reject all bids and resubmit the specifications to all bidders with more detail as to size of vehicles required and to perhaps bid one vehicle with and one vehicle without the SSV package.

Water Department – Chemicals

The following bid recommendation was presented for consideration.

Memorandum

To: City Manager Jim Cole
Honorable Mayor Howard Birdsong
Councilpersons

From: Mike Hightower
Utilities Superintendent

Date: February 2, 2006

RE: Annual Chemicals for the Water Filtration Plant

Bids were received for the annual chemicals for the Water Filtration plant. A bid tabulation is attached.

Brenntag Mid-South was the low bid on chlorine cylinders and bulk hydrated lime.

The low bid on bulk ground aluminum was from G.S. Robins.

The low bid on the P.A.C. was from Brenntag Mid South. The awarding of this bid is contingent on the results of a trial run to see if their product meets our existing chemical standards.

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It is my recommendation to accept these low bids for our chemical needs at the Water Filtration Plant.

WATER & WASTEWATER DEPARTMENTS – CHEMICALS OPENING SUMMARY

Attached is a compilation of the bids received for chemicals for the Wastewater Departments of the City of Neosho.

The bid opening was held at 10:00 a.m. February 1, 2006 in the Conference Room at City Hall. Present for the opening were Stacy Barnes and Kim Messer from the City of Neosho, and David Richard from Brenntag.

The following bids were received:

Brenntag Mid-South 2235 W. Battlefield Rd Springfield, MO 65807	Bids: Hydrated Lime- Bulk-Per ton \$124.90 Ground Aluminum Sulfate-Bulk-Per ton \$355.00 Liquid Chlorine-2000# cylinders- Per cylinder \$560.00 Liquid Chlorine-150# cylinders-Per cylinder \$72.00 P.A.C.-Bulk- Per pound \$.303
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Advance Chemical Solutions P.O. Box 702188 Tulsa, OK 74170-2188	Bids: Hydrated Lime- Bulk- Per ton- No bid Ground Aluminum Sulfate-Bulk- Per ton- No bid Liquid Chlorine-2000# cylinders- Per cylinder- No bid Liquid Chlorine-150# cylinders-Per Cylinder- No bid P.A.C.-Bulk-Per pound \$.305
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Mississippi Lime Co. P.O. Box 2247 Alton, IL 62002	Bids: Hydrated Lime- Bulk- Per ton- \$142.00 Ground Aluminum Sulfate-Bulk-Per ton- No bid Liquid Chlorine-2000# cylinders- Per cylinder- No bid Liquid Chlorine-150# cylinders-Per cylinder- No bid P.A.C.-Bulk-Per pound- No bid
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G. S. Robins & Co. P.O. Box 10907 Springfield, MO 65808	Bids: Hydrated Lime- Bulk- Per ton- No bid Ground Aluminum Sulfate-Bulk-Per ton-\$290.00 Liquid Chlorine-2000# cylinders- Per cylinder- \$620.00 Liquid Chlorine-150# cylinders-Per cylinder-\$78.00 P.A.C.-Bulk-Per pound- \$.3225
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DPC Enterprises 1785 Hwy. 61 South Festus, MO 63028	Bids: Hydrated Lime- Bulk- Per ton- No bid Ground Aluminum Sulfate- Bulk- Per ton- No bid Liquid Chlorine-2000# cylinders- Per cylinder- \$568.00 Liquid Chlorine- 150# cylinders- Per cylinder- \$73.00 P.A.C.- Bulk- Per pound- No bid Fuel Surcharge 4.5%
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H2O Technical Serv.	No response
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Univar USA	No response
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Mr. Hightower noted that Brentag, the low bidder on P.A.C. has changed suppliers and purchase of the P.A.C. would be contingent upon their product meeting existing standards. If the product does not meet standards, then the P.A.C. would need to be purchased from the next low bidder which was Advance Chemical Solutions and the city has used their product in the past.

Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman McCormack to award the bids as recommended and authorize the Water Department to buy from Advance Chemical Solutions should Brentag fail the P.A.C. test.

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Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Wastewater Department - Road Bore

The following bid recommendation was presented for consideration.

To: City Manager Jim Cole
Honorable Mayor Howard Birdsong
Councilpersons

From: Mike Hightower
Utilities Superintendent

Date: February 2, 2006

RE: Road Bore bid on Baxter St. and Bus. Hwy. 71

Bid packets were sent out for a road bore for Baxter St. and Bus. Hwy 71. This is a TIF sewer project. One bid was received from Scott Boatwright, of Boatwright Road Boring in Aurora, Mo. The price per foot is \$179.00 for a total cost of \$20,585.00.

It is my recommendation to accept this bid from Mr. Boatwright.

**WATER & WASTEWATER DEPARTMENTS – ROAD BORING
BAXTER & HWY. 71 OPENING SUMMARY**

Attached is a compilation of the bids received for road boring on Baxter and Hwy. 71 for the Wastewater Departments of the City of Neosho.

The bid opening was held at 10:30 a.m. February 1, 2006 in the Conference Room at City Hall. Present for the opening were Stacy Barnes and Kim Messer from the City of Neosho, and Scott Boatwright from Boatwright Road Boring

The following bids were received:

Boatwright Road Boring P.O. Box 675 Aurora, MO 65605	Bids: 12” sewer bore with steel casing, length 115 ft. Price per foot \$179.00 Total: \$20,585.00 **These prices will be with Boatwright Road Boring digging their own pits.
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Southwest Trenching	No response
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Discussion followed with Mr. Hightower informing the council that the project should be completed by 1st of May provided it does not rain too much.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to award the bid to Boatwright Road Boring.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

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Street Department - Drain Pipe

The following bid recommendation was presented for consideration.

Date: February 6, 2006
To: Honorable Mayor and Council Persons
From: Jim Cole, City Manager
Subject: Drainage Pipe- Bids

I have added an agenda item under bids. It is for the needed drainage pipe for South Street. It is 48 inch concrete pipe plus flares for the ends.

Moore's Pipe Company of Joplin got the low bid for the pipe on Jefferson Street. This is the same pipe. They have agreed to maintain their price of \$39 per foot for this project, even though their prices have gone up for steel and concrete.

We need 1008 feet of 48 inch pipe and 14 flares (one on each end of the 7 runs of pipe).

1008 feet of 48" pipe	at \$39/foot	= \$39,312
14- 48" flares	at \$850 each	= \$11,900
Total Cost		= \$51,212

I had budgeted \$50,000 for the South Street drainage. We will need to amend the budget slightly to meet budget.

If we had to re-bid the pipe, I would estimate the cost to be a minimum of \$45 a foot.

I would recommend accepting the bid from Moore's Pipe Company for the needed drainage pipe for South Street in the total amount of \$51,212.

Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to approve the bid from Moore's Pipe Company of Joplin in the amount of \$51,212.00.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-197...Authorizing the City of Neosho to enter into a Lease Purchase Agreement with Community Bank & Trust, as Lessor, with respect to the acquisition of certain personal property (Ultraviolet Disinfection System)...2nd & 3rd Readings

Bill No. 2006-197 for Ordinance No. 240-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Werneke and seconded by Councilman Persinger to pass Bill No. 2006-197 on second and third readings. Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Public hearing regarding a petition submitted by Scott & Susan Forbes to annex the property located at 1532 Donna Place into the corporate limits of the City of Neosho, under District R-1, First Dwelling House District Classification.

Mayor Birdsong opened the floor for public comment. There being no comments from the public, Mayor Birdsong closed the public hearing.

AMEND AGENDA

The agenda was amended to hear the request of Chad Marion following the request of Daniel Swem to connect to city utilities as Mr. Marion will be requesting the same.

Consider request of Daniel Swem to connect to city utilities

Mr. Swem addressed the council and requested permission to hookup to city utilities to allow development of his property outside of city limits and located at 12751 Lynn Lanes, which is South of the former school property located at Hwy. 86 and Kodiak Road.

Discussion followed concerning the location and availability of utilities.

Councilman Werneke expressed his concerns of providing city utilities to areas which are developed outside city limits and which will eventually be annexed into the city limits at a later date, without recourse by the city as to how the areas are developed.

Discussion followed.

Councilman Smallwood inquired is there a way that should we allow someone that is outside to the city to hookup that they do have to follow our codes?

City Attorney Hays replied that the council could enter into a contractual agreement with the understanding that if they did not meet the code, that it would upon a couple of opportunities to fix the problem, the city would close off access to both the water and the sewer, which would effectively close off that entire area. That being said, the council would have to stand behind it, because...

Councilman Werneke inquired if that wouldn't bring the public safety question into this.

Mr. Hays replied it could be done contractually, but you are going to have to stand behind it. It is going to be difficult to make that decision at that time. It pretty much comes down for us and maybe a plat being submitted prior to the acceptance.

Mayor Birdsong noted that was what Greg Houck did. He submitted a plat and showed what he was developing and when we talk to Chad Marion, he is doing the same thing.

Mr. Cole stated that this will be the first of many requests as the city has a lot of water and sewer lines going to different areas; and recommended that it be standard policy that as they come in that they agree to follow our codes just as if they were in the city.

Mr. Hays stated in the contractual obligations we could have, when you start building a street, I'm sure Dan wouldn't object to this, even though it's outside the city, to have it subjected to city inspection to verify that the asphalt is the right depth, that the curb and gutter is correct, prior to going forward. That one be one way to prevent a bunch of homes being there and then finding that the roads are incorrect.

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Councilman Werneke inquired that brings up another situation. What happens when that subdivision sets there for 8, 10, 12 years and the road starts degrading, starts to fail. Whose responsibility is that?

Mr. Hays replied until it comes into the city, it is the developer's responsibility for the streets. So, as such time as it sits out there for 5, 6, 7 years prior to it becoming contiguous and becoming annexable to the city, the city can say before we take the streets, before you dedicate the streets, you have to repair them to specifications.

Mayor Birdsong inquired of Mr. Swem that if the city put something together would he have any objections to entering into that kind of an agreement with the city.

Mr. Swem stated that he would not have any objections, that it sounds reasonable.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the request contingent upon the contract.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

Consider request of Chad Marion to connect to city utilities.

Mr. Marion addressed the council and requested permission to hookup to city utilities to develop property outside city limits and located West of Hwy. 59 South.

Mr. Marion presented a preliminary plat of his proposed subdivision and copies of the subdivision covenants.

Mr. Marion informed the council that he has, at his expense, run approximately 1500 feet of the 15-inch sewer main, installed three manholes to the South, and installed some 36-inch drainage whistles in a low water area. Approximately 150 loads of compacted clay have been brought in for a future road for which easements have been granted and obtained. There is approximately another 800 to 1000 feet of sewer pipe to be run South to Pierce Lane. They have also installed approximately 1000 feet of 8-inch water main and fire hydrants, and cut-off valves were installed when the water main was installed.

Mr. Hightower informed the council that the city has 2000 feet of 15-inch pipe left in stock, and there will be enough funds to furnish the materials up to Pella Lane.

Mayor Birdsong noted that the covenants provide that when this development becomes contiguous, then the whole development will come in, not just as individual properties, and the property owners sign the agreement to that effect.

Mr. Cole informed the council that he had visited with Mr. Marion, and he was given a copy of the city codes which he is following.

Discussion followed.

Motion was made by Councilman Werneke and seconded by Councilman McCormack to permit hookup to the utilities.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

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Bill No. 2006-198...Approving and establishing The Big Spring Plaza Community Improvement District...1st Reading

Bill No. 2006-198 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to pass Bill No. 2006-198 on first reading.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Consider Lease Agreement, as amended, between the City of Neosho and La-Z-Boy Midwest

Motion was made by Councilman McCormack and seconded by Councilman Werneke to approve the lease agreement and authorize the City Manager to execute.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider amending the agreement with Empire District Electric Co. to remove the old steel poles for the sidewalk project and install 2 temporary lights during construction

Mr. Cole informed the council that the agreements are needed by Empire District Electric for the sidewalk project and this will remove nine lights and two temporary lights will be installed until the new lights are received.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the agreements as presented.

Roll call vote:

Sherry McCormack - Abstain, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Consider Amending Rental Agreement for Compactor with Victor L. Phillips Co.

Mr. Cole informed the council that the compactor is too small to sufficiently compact the dirt during the construction of the road in Morse Park and a larger compactor is needed. The original agreement called for rent of \$3,295 per month and the larger compactor will rent for \$4,525 per month; and as fast as it works it should cut some time from the completion of the project and total dollars should not be any more expensive than was projected. Once the Morse Park is completed then the city will be on the South Street project which will probably take two months. The Morse Park project is approximately 60 percent complete.

Mr. Cole informed the council that KCS has submitted all of the plans for the South Street Project to a private firm for review; and at this time we are just waiting on the railroad. Discussion followed.

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Motion was made by Councilman Persinger and seconded by Councilman McCormack to approve the rental agreement as presented.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

Bill No. 2006-199...Authorizing the City of Neosho, Missouri, to enter into a lease purchase transaction, the proceeds of which will be used to refund two series of certificates of participation and one series of special obligation bonds of the City; and to approve the execution of certain documents in connection therewith...1st Reading

Bill No. 2006-199 was read by title only by Mr. Hays.

Motion was made by Councilman Werneke and seconded by Councilman Smallwood to pass Bill No. 2006-199 on first reading.

Discussion followed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Discuss amending the fiscal policy

Councilman Smallwood addressed the council and suggested for discussion an amendment to the fiscal policy, specifically the 3% differential given to local business. Based on the Missouri Department of Economic Development, it is stated that a dollar spent in Missouri is touched 7 more times in Missouri. Assuming it is only touched two more times in the City of Neosho, and assuming each dollar generates \$0.06475 in taxes on each dollar, then using that logic you are talking about a 12.95 percent return on your investment, in that it would generate that much more into the City of Neosho. Any dollar amount of less than \$500.00 must be spent locally and when bids are obtained, if the difference is less than \$1,000.00 the local vendor would be chosen, and if the difference is greater than \$1,000.00 a differential would be awarded to the Local, County, or State business in that order.

Discussion followed.

No action was taken and the item was placed on the March 21st council agenda for further discussion.

REPORT OF CITY OFFICERS

Tri-State Engineering

Mr. Cole informed the council that Tri State Engineering has an employee who was instrumental in bringing down the water loss in the City of Joplin from 30 percent to 8 percent and they may be able to help the City of Neosho.

Mr. John Bolte addressed the council and stated that there are a lot of similarities between what the City of Neosho is experiencing and what happened in the City of Joplin and suggested that they would be able to assist the city in bringing down the water loss. Our employee will be using equipment from the fluid conservation systems people. There is a survey unit, which the City of Neosho already has, and a correlator which will be used

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where the survey unit cannot be used. We talked about doing a more extensive leak survey, which would involve going to every service connection and listening to every meter box. Currently you are listening to all your valve boxes and hydrant locations and possibly jumping over the services and what might be happening with the meters, as they can slow down with age. We would go to every meter box, survey every meter box, and try to identify which meters are the trouble meters, where you have noise on these, and pick out which ones have slowed down and appear to be suspect, go ahead and change out. You don't need to go and look at changing out every single meter. That is very costly and time consuming and ten years down the road you have the same problem again. If you are interested in pursuing this further, we would be willing to set down and discuss this and set up a comprehensive survey. The other area which you have not been surveying is your PVC system.

Mr. Cole informed the council that close to one half of the pipe in the ground is PVC pipe. The company doing the current survey cannot locate leaks with PVC pipe and none of the city's PVC pipe has been checked. Tri-State Engineering will be able to check the PVC pipe. This is the first time the City has been made aware that PVC pipe could be checked.

Discussion followed.

Mayor Birdsong requested that the public works department come back with a progress report on the current water loss survey and meter replacement program at the first meeting in March; and then if the department thinks it's worthwhile, then discuss it and pursue this and go ahead and see what can be done.

Auditorium Renovation Committee

Councilman Persinger reported that the Auditorium Renovation Committee met and interviewed three architectural firms and is unanimously recommending that the city hire the architectural firm of Kromm, Rikimaru & Johansen, Inc. for professional services.

Councilman Werneke informed the council that eleven firms presented proposals and three were selected for final interview. The committee went through the complete process.

A written recommendation from the Auditorium Renovation Committee and the agreement for professional services with the architectural firm will be presented to the council at a later date for consideration.

Comprehensive Plan

Councilman Werneke informed the council that the Planning and Zoning Commission met and approved final changes to the comprehensive plan as recommended by the Ad Hoc Steering Committee. Those changes along with some minor changes in wording will be forwarded to Shafer, Kline & Warren for printing of the plan.

Airport Industrial Development Board

Mayor Birdsong reported that regarding the airport terminal building we are expecting to go the Missouri Finance Board at their February meeting for financing. We are going to look at a \$500,000 project which includes the terminal building and specialized aviation electronics to go into the building.

We are moving forward with that and we met with the different utility companies and talked about the master plan and how things are all going to come together. They all are going back and putting pencil to paper to come back to us with how we are going to develop this.

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Senior Citizen Committee

Councilman McCormack reported that the Senior Citizen Committee is moving along and will be meeting this Thursday and will soon be going out for bids for janitorial work and we are getting the details of that pulled together.

We are also taking a close look at the lease agreement between the Senior Center and the Area Agency on Aging, so that we know of all the details of that and make sure that we have the most recent copy.

Lyerla Sheet Metal, Heating and Air Conditioning has been authorized to do freon leak checks and repairs, as we have some issues with some of the equipment. I feel very good about the progress we are making.

Golf Course Committee

Councilman Smallwood reported that the golf course has shown a \$35,000 increase in revenues over the same period from last year.

Fiscal Year Audit

Finance Director Cheryl Mosby reported that she expects the audit report for the Fiscal Year 2004-2005 to be presented at the first council meeting in March.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2172...1st Reading

Master Fund Appropriation Ordinance No. 2172 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2172 in the amount of \$577,314.11 on 1st Reading.

Discussion followed concerning late fees and charges.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Appropriation Ordinance No. 2172...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2172 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to pass Master Fund Appropriation Ordinance No. 2172 in the amount of \$577,314.11 on 2nd & 3rd Readings.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Council Minutes – February 7, 2006

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 9:05 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
February 21, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Mayor Birdsong

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jim Cole, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of February 7, 2006

Motion was made by Councilman Smallwood and seconded by Councilman McCormack to approve the minutes of the regular session of February 7, 2006.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

PROCLAMATIONS

Mayor Birdsong issued the following proclamation.

Proclamation

WHEREAS; The Benevolent and Protective Order of Elks, through its Constitution, is a PATRIOTIC ORDER, dedicated to promoting the spirit of patriotism, and

WHEREAS; Joplin Elks Lodge No. 501 has petitioned the City of Neosho to join the Elks in stimulating an awareness and a genuine feeling of pride and respect toward this nation and the freedoms we enjoy as citizens, and

WHEREAS; American troops are currently risking their lives in foreign lands to promote and protect the democracy and the freedoms upon which this nation is founded, and

WHEREAS; The United States of America serves as a beacon of hope and the ultimate emblem of liberty to all people of the world, and

WHEREAS; It is fitting and proper to recognize these freedoms, liberties and to honor the troops who protect them and the nation that provides them, and

WHEREAS; The third week of February is traditionally recognized as National Patriotism Week, now

Council Minutes - February 21, 2006

THEREFORE; I, Howard Birdsong, Mayor of the City of Neosho do hereby proclaim **February 20 through 24, 2006 as National Patriotism Week**, and encourage all citizens to join the City of Neosho and the Benevolent and Protective Order of Elks in expressing gratitude for the privilege of American citizenship with appropriate celebrations and observances.

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 21st day of February, 2006.

/s/Howard Birdsong, Mayor

Attest: /s/James E. Haddock, Clerk

APPOINTMENTS/VACANCIES

There were none.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Parks Department - Mower

The following bid recommendation was presented for consideration.

2/17/06

TO: Honorable Mayor, Howard Birdsong
Councilpersons

FROM: Tom Workman

RE: Mower

We recently went out for bid on a mower for the Parks Department. The following bids were received:

- 1. Turf Professional Equipment \$37,595.19
- 2. Joplin Farm and Lawn \$39,561.75

We recommend going with Turf Professional Equipment for the amount of \$37,595.19.

Sincerely,

/s/Tom Workman,
Parks Superintendent

Bid Opening Summary

Attached is a compilation of the bids received for a mower for the City of Neosho. The bid is for a mower. The bid opening was held on February 14, 2006 at 10:00 a.m. in the Conference Room at City Hall. Present for the bid opening were Carla Cummings, Tom Workman, Kim Messer, and Paul Downard from Turf Professional Equipment.

Council Minutes - February 21, 2006

Mr. Hays informed the council that the council has just approved the Community Improve District for Big Spring Plaza which is the new plaza strip mall by Wal-Mart. Between that mall and Dr. Hammons' veterinary clinic, a new street has been placed in there. Mr. Clark, who is here today, is deeding the street over to the city wherein we are going to be able to put some traffic signs and controls which are desperately needed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Bill No. 2006-199...Authorizing the City of Neosho, Missouri, to enter into a lease purchase transaction, the proceeds of which will be used to refund two series of certificates of participation and one series of special obligation bonds of the City; and to approve the execution of certain documents in connection therewith...2nd & 3rd Readings

Bill No. 2006-199 for Ordinance No. 242-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman McCormack to pass Bill No. 2006-199 on second and third readings.

Discussion followed.

The vote on the motion was postponed until later in the meeting which would allow Councilman Smallwood more time to look over the documents.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-200...Annexing property located at 1532 Donna Place into the corporate limits of the City of Neosho, under District R-1, First Dwelling House District Classification as petitioned by Scott and Susan Forbes...1st Reading

Bill No. 2006-200 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman McCormack to pass Bill No. 2006-200 on first reading.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Adoption of Resolution Bill No. 2006-1...Setting certain regulations, fees and rental agreement terms for the Neosho Recreation Center and facilities.

Resolution Bill No. 2006-1 for Resolution 47-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Werneke and seconded by Councilman Persinger to adopt Resolution Bill No. 2006-1.

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Mr. Bill Smith, President of the Neosho Recreation Board, was present and informed the council that the board was asking for rate increases in the user fees as they have not been adjusted in approximately ten years. The increase in fees will generate approximately \$10,000.00 in revenues annually.

City Attorney Hays informed the council that he had not had time to notify the city clerk of some changes in the wording which need to be made. The changes are not significant and the council could adopt the resolution subject to corrections to be made. There will be no changes in the fees themselves, only in some of the wording.

Motion was amended by Councilman Werneke and seconded by Councilman Persinger to adopt Resolution Bill No. 2006-1, subject to corrections to be made by the City Attorney.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried as amended.

Mayor Birdsong requested the resolution to be placed on the next agenda as a discussion item for clarification of those changes which will be made.

Presentation of petition submitted by the Neosho R5 Charitable Foundation Board to annex property located in Section 27, Township 25, Range 32, Newton County, Missouri into the corporate limits of the City of Neosho.

Mr. Cole informed the council that the property being petitioned for annexation by the Neosho R5 Charitable Foundation Board was not contiguous to the city limits. The property would be contiguous if Newton County were to request annexation of Norway Road into the city limits from Kodiak Road to the new Highway 71.

Discussion followed.

It was the consensus of the council for the city manager to contact the Newton County Commission and inquire if they wanted to annex Kodiak Road into the city limits.

Consider Grant Assistance Agreement with the Harry S. Truman Coordinating Council

Mr. Cole informed the council that he had contacted the Harry S. Truman Coordinating Council and inquired as to what they would charge to assist the city in administering grants as he has been taking care of the administration of those grants. The city currently is working on grants involving Morse Park, the South Street project, the Neosho Municipal Airport, and Region M. The Harry S. Truman Coordinating Council is at this time administering the Howard Bush Extension grant at no cost to the city.

Discussion followed. It was suggested that the agreement contain a cost ceiling and a termination clause as at some point in the future the city will be able to handle the administration of the grants without assistance.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to authorize the pursuit of an agreement between the City of Neosho and the Harry S. Truman Coordinating Council

Council Minutes - February 21, 2006

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Amend agreement with Empire District Electric Co. to add a street light at 1405 Hale McGinty Drive

Mayor Birdsong informed the council that this request came before the Traffic Commission and at that time two lights were authorized with the understanding that if the need came for a third light that it would be considered. The Traffic Commission is recommending the placement of the light.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to amend the agreement with Empire District Electric Co. to add a street light at 1405 Hale McGinty Drive. Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Abstain.

Motion carried.

Consider Rental Agreement for Loader – Street Department

Mr. Cole informed the council that the transmission went out of the big loader, and it will take three weeks to repairs. The loader is used on a daily basis and it will be necessary to rent a loader for approximately one month.

The following recommendation was presented for consideration.

TO: Honorable Mayor, Howard Birdsong
Councilpersons

FROM: Doug Hutson

RE: Rental of Loader

We have received quotes for the rental of a loader due to ours breaking down. The quotes are as follows:

Murphy Tractor	544 J w/bucket	weekly-\$1,800	monthly-\$4,500
Victor L Phillips	Case 521 D w/2 yd bucket	weekly-\$1,215	monthly-\$3,650
	Case 621 D 2.25 yd bucket	weekly-\$1,495	monthly-\$4,795
United Rentals	Loader w/2 yd bucket	weekly-\$1,530	monthly-\$4,500
	Loader w/2.5 yd bucket	weekly-\$1,500	monthly-\$4,838

Council Minutes - February 21, 2006

FABICK	Cat Loader w/3.2 yd bucket	weekly-\$2,000	monthly-\$6,000
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We recommend going with the loader from Murphy Tractor although VLP was lower in price, the bucket on their loader is not large enough. We are more familiar with the loader from Murphy Tractor since it is like the one we use on a daily basis.

Sincerely,

/s/Doug Hutson
Assistant Director Public Works

Mr. Jamie Otten stated that they were recommending the Murphy Tractor loader (w/3 yd bucket) over the smaller loader bid by Victor L. Phillips as it would cost more in time to go down to a smaller loader. It would also be better to rent the loader for a month rather than by the week and take advantage of the lower price.

Discussion followed.

Motion was made by Councilman Werneke and seconded by Councilman McCormack to approve the bid of \$4,500 from Murphy Tractor for the 544 J with 3 yard bucket.

Discussion followed.

Councilman Persinger and Councilman Smallwood indicated that the larger bucket size did not justify the cost over renting the lower bucket size for the time involved.

Roll call vote:

Jim Smallwood - No, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - No.

Motion carried.

Auditorium Renovation Committee Recommendation

Mr. Kenny presented the following recommendation.

To the Neosho City Council,

The Auditorium Renovation Committee unanimously recommends that the City contract with Kromm, Rikimaru & Johansen Architects, Planners, Interiors to assist in the renovation of the Municipal Auditorium.

The Committee received and reviewed proposals from eleven firms. This grouping was narrowed to three whom we interviewed in person. Of the three interviewed, there was unanimous consensus to recommend Kromm, Rikimaru & Johansen.

The main difference between this firm and others is their broad scope. They demonstrated a sincere appreciation for the existing structure, its uses, structure and history. They showed a clear grasp of our interest in making the building as multifunctional as possible even with the challenges that this will face. They also brought a clear feel for our desire to bring the building's technology up-to-date. Additionally, they recommended that they would assist in making changes to keep the structure positioned for future uses and/or needs. In short, the Committee felt that their vision was a true match with the City's vision for this project.

Council Minutes - February 21, 2006

They project their fee at 7.5 percent of the total project cost which includes bringing in outside experts to assist with theater, sound and kitchen designs. Their fee does not contemplate any potential environmental issues like asbestos removal.

The Auditorium Renovation Committee is confident and united in this recommendation. If selected, our next step will be a series of meetings with the company to begin discerning specific challenges and needs of the building to incorporate all elements just as soon as possible.

Thank you for your consideration,
Stephen M. Kenny
Chair, Auditorium Renovation Committee

Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to approve the recommendation of the Auditorium Renovation Committee to enter into contract negotiations with Kromm, Rikimaru & Johansen Architects, Planners, Interiors.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

(Continued) Bill No. 2006-199...Authorizing the City of Neosho, Missouri, to enter into a lease purchase transaction, the proceeds of which will be used to refund two series of certificates of participation and one series of special obligation bonds of the City; and to approve the execution of certain documents in connection therewith...2nd & 3rd Readings

Discussion continued.

It was the consensus of the council that they could support the bond issue provided the fiscal policy would be to set up a separate account with substantial funds budgeted strictly with the intent of prepaying the bond issue.

Mayor Birdsong also noted that this should be done without impeding the operations of the golf course. Funds should be budgeted for operations, capital expenditures where necessary, and for prepayment of the bond issue.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

REPORT OF CITY OFFICERS

Mayor Birdsong

Mayor Birdsong reported that he met with Congressman Blunt's field representative and a representative from his office in Washington and asked for assistance in moving agencies involved and financial assistance regarding the South Street overpass project. They seemed very confident that influence will be brought to bear on the railroad to move along in short order.

Council Minutes - February 21, 2006

He also talked about some help with the Corp of Engineers on the drainage problem concerning the letter the city received last year saying that the project was being put on hold, as monies were either being diverted or held back because of Homeland Security issues. The two representatives were very encouraging that they could probably get the Corp of Engineers back working on that.

Help was also asked on the airport terminal in outfitting it with the proper electronics; state of the art equipment that is not included in the monies that we are going after in building the terminal and that was pretty encouraging as well.

Hopefully, in the not too distant future, the city should be getting a telephone call from Steve McIntosh saying that both of these things will be going back on.

City Attorney Hays

Mr. Hays reported that he had met with Mr. Pim last year regarding his concerns with clean up violations of trash and tall grass of the time it takes to get a person cited after recognition of a problem. On both of these issues, where we had a policy in the past of sending out a letter, then sending out another letter, and then another letter, and then issuing a citation and waiting for court, and then getting a continuance; we are going to change the policy and abandon the letters. We are initially going to issue a warning summons, and if it is not cleaned up after two weeks then a citation will be issued. There are a couple of ordinances that we are going to work on, and actually change the ordinances themselves; but this will improve the time period on getting those problems cleaned up. That will be effective as of today.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2173...1st Reading

Master Fund Appropriation Ordinance No. 2173 was read by title only by Mr. Hays

Motion was made by Councilman McCormack and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2173 in the amount of \$346,340.92 on 1st Reading.

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Appropriation Ordinance No. 2173...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2173 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to pass Master Fund Appropriation Ordinance No. 2173 in the amount of \$346,340.92 on 2nd & 3rd Readings.

Council Minutes - February 21, 2006

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

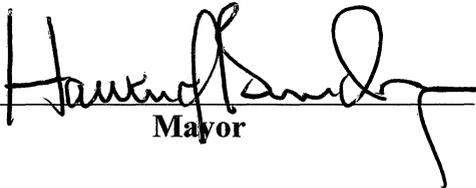
Motion carried.

ADJOURN

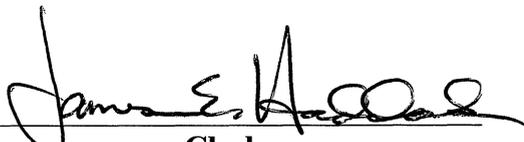
There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 8:29 p.m.

APPROVED:

NEOSHO CITY COUNCIL


Mayor

ATTEST:


Clerk

**MINUTES - SPECIAL SESSION
NEOSHO CITY COUNCIL
February 21, 2006 – 6:00 p.m.
Council Chambers - City Hall
203 E. Main - Neosho, MO.**

CALL TO ORDER

A quorum being present, Mayor Birdsong called the special session to order at 6:04 p.m.

ROLL CALL

Mayor Birdsong presided and the following councilmen were present: Howard Birdsong, Sherry McCormack, Matthew Persinger and Jim Smallwood. Absent: Councilman Werneke.

Also present: Steven Hays, City Attorney and Eric Haddock, City Clerk

MOTION AND VOTE TO CLOSE THE MEETING

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to close the meeting pursuant to RSMo. Sec. 610.021(2) and RSMo.610.021(3).

Roll call vote: Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes. Motion carried.

Mayor Birdsong closed the meeting at 6:04 p.m.

CALL TO ORDER

A quorum being present, the council met in the City Hall Conference Room and Mayor Birdsong called the closed session to order at 6:05 p.m. with the following councilman present: Howard Birdsong, Sherry McCormack, Matthew Persinger and Jim Smallwood.

Also present: Steven Hays, City Attorney; Minutes taken by Steven Hays

Councilman Jeff Werneke arrived to the meeting at 6:09 p.m.

Pursuant to Section 610.021(3) RSMo.

The Council discussed personnel issues involving Jamie Otten, Cheryl Mosby, Doug Hutson and Sheila Price.

RECESS

The Council recessed its closed meeting at 6:55 p.m. and went into regular session. No votes taken.

RECONVENED

The Council reconvened its closed meeting upon completing its regular session at 8:45 p.m.

At the request of the Council, Personnel Manager Vicki Dexter, attended and addressed questions from various Councilmen. Ms. Dexter was excused and departed the closed meeting at 9:20 p.m.

Council Minutes - Special Session - February 21, 2006

Discussions continued. Two questions were presented and voted upon.

First Question: Moved by Councilman Sherry McCormick and seconded by Councilman Matt Persinger:

Does the Council request City Manager Jim Cole to terminate the employment of Jamie Otten, Doug Hutson and Cheryl Mosby effective Friday, February 24, 2006?

Councilman Howard Birdsong	Yes
Councilman Sherry McCormick	Yes
Councilman Jim Smallwood	Yes
Councilman Jeff Werneke	Yes
Councilman Matt Persinger	Yes

Second Question: Moved by Councilman Jim Smallwood and seconded by Councilman Matt Persinger:

Should City Manager Jim Cole deny to act, should the Mayor be authorized to enact Charter § 3.304 for the removal of Mr. Cole from the Office of City Manager?

Councilman Howard Birdsong	Yes
Councilman Sherry McCormick	Yes
Councilman Jim Smallwood	Yes
Councilman Jeff Werneke	Yes
Councilman Matt Persinger	Yes

Mayor Birdsong adjourned the closed meeting at 10:50 p.m.

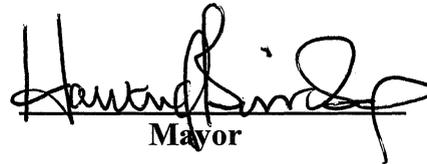
RECONVENE IN OPEN SESSION

The meeting reconvened in open session at 10:51 p.m. Mayor Birdsong announced that two votes were taken.

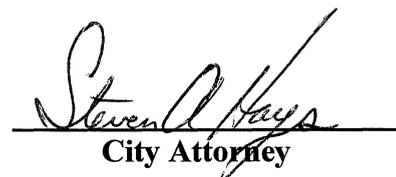
ADJOURN: There being no further business, Mayor Birdsong adjourned the meeting at 10:51 p.m.

APPROVED:

NEOSHO CITY COUNCIL


Mayor

ATTEST:


City Attorney

MINUTES
NEOSHO CITY COUNCIL
March 7, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Birdsong called the meeting to order at 7:05 p.m.

OPENING PRAYER: Councilman Smallwood

ROLL CALL: Mayor Birdsong presided and the following councilmen were present: Howard Birdsong, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Absent: Sherry McCormack

Also present: Jim Cole, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of February 21, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to approve the minutes of the regular session of February 21, 2006.

Roll call vote:

Howard Birdsong-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes.

Motion carried.

Special Session of February 21, 2006

Motion was made by Councilman Werneke and seconded by Councilman Persinger to approve the minutes of the special session of February 21, 2006.

Roll call vote:

Matthew Persinger-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Yes.

Motion carried.

PROCLAMATIONS

Employer of the Month

Mayor Birdsong issued the following proclamation.

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Ozark Plastics Products, Inc. began its operations in Neosho in January, 2002, and has been a part of Neosho since; and

Whereas, Ozark Plastics Products, Inc. has continued since that time as a manufacturer of custom injection moldings; and

Council Minutes - March 7, 2006

Whereas, Ozark Plastics Products, Inc., since beginning their company, has added 30 new employees increasing the number of employees from 9 to 39 and their facility from 14,000 sq. ft. to the present 20,000 sq. ft.;

Now, therefore, I, Howard Birdsong, Mayor of the City of Neosho, do hereby proclaim Ozark Plastics Products, Inc. as Neosho's March 2006 Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 7th day of March, 2006.

/s/Howard Birdsong, Mayor

Attest: /s/James E. Haddock, Clerk

AMEND AGENDA

Without objection, the agenda was amended to add continued discussion on the golf course under unfinished business.

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Birdsong announced that one vacancy will exist for a term of 4 years beginning April 1, 2006 due to the expiring term of Norma Powell.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Airport - Fuel System

The following bid recommendation was presented for consideration.

To: Honorable Mayor and Council Persons
From: Jim Cole, City Manager
Date: 3/10/2006
Re: Airport Jet A Fuel System Bids

We have received two bids to make the bulk jet fuel system usable.

Currently we are using our tank truck as our storage tank. This is against the law, as of August of last year.

Our fuel supplier notified us last fall that we must have a large bulk tank to store our jet fuel in. They will no longer deliver fuel to trucks. However, they will continue delivering to us if we are in the process of getting bulk storage available.

We already have the necessary, large, 10,000 gallon tank in place. We were never able financially to complete the installation of all the necessary items to make the system usable.

We went out for bids to have this work completed.

We received two bids:

Council Minutes - March 7, 2006

1. Crown Products Inc., Wichita, KS Bid: \$28,200
2. Stoddard Equipment, Ozark, MO Bid: \$48,402

Both bids meet the required specifications. I put both bidders in touch with Air BP fuel engineers to make sure both bidders were aware of all regulations. Both bidders followed engineer's instructions.

I had estimated the cost to be \$30,000

We have funds remaining from the sale of surplus land at the airport. There is about \$15,000 remaining in this fund. The remaining funds needed, I recommend not rebuilding the hangars destroyed by the storm and use some of the insurance money to complete the jet fuel system. We should be receiving those funds in the near future.

Crown Products Inc. is a much larger company and a major supplier of airport fuel systems. We purchased the AV-Gas system from them when it was installed 10 years ago.

I would recommend accepting the bid of Crown Products Inc. for \$28,200 to complete the needed modifications for our Jet Fuel System.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Crown Products, Inc. in the amount of \$28,200.

Roll call vote:

Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Yes, Matthew Persinger-Yes.

Motion carried.

Neosho Fire Department – Two SUV's

The following bid recommendation was presented for consideration.

February 27, 2006

To: City Manager Jim Cole
From: Fire Chief Greg Hickman
Reference: Equipment Purchase

Attached you will find bid information for the purchase of two (2) 2006 Ford Expeditions, which we re-bid. One to be used for the City of Neosho Law Enforcement part of Homeland Security Response Team (Neosho HSRT) and one for the Neosho Fire Department. The Neosho HSRT has been allotted \$40,000 by SEMA 2005 Funds for the purchase of this equipment. This is a 100% funding grant from SEMA.

The fire department budgeted \$28,000 from our fund balance for the purchase of a replacement of the 1996 Ford driven by the Fire Chief. Fire department also proposed trade-in of two vehicles: 1996 Ford and 1994 Jeep Cherokee, on our vehicle.

This bid package was for the purchase of two (2) 2006 large sized Sports Utility Vehicles (SUV) with Police or Special Service Packages.

We received 5 bids from 21 bids sent out. Bids received were for 2006 models with one exception for a 2007 model.

STATE Bid: was for mid-sized SUV with no large size available

Council Minutes - March 7, 2006

Bids received were as follows:

Crossroads Chevrolet-Cadillac, Joplin, for 2007 Chevrolet Tahoe; without Police or Special Service Vehicle package with trade-ins: \$31,544.78 ea Total: \$59,999.99

Friendly Ford, Springfield, MO, for 2006 Ford Expedition SSV package;
\$ 25,496.94 ea Total: \$50,993.88
Less \$3,200.00 trade-in. Total less trade-ins: \$47,793.88

Jimmy Michel Motors, Inc, Aurora, MO, for 2006 Ford Expedition SSV package;
\$25,949.00 ea Total: \$51,898.00
Less \$3,000.00 trade-in. Total less trade-ins: \$48,898.00
Option: Added carpet to fire department vehicle \$659.00

Landers McLarty Ford Jeep, Bentonville, AR, for 2006 Ford Expedition SSV package;
\$27,951.76 ea Total: \$55,903.52
Less \$3,800.00 trade-in Total less trade-ins: \$52,103.52
Option: Vehicle with Standard XLT package:
\$37,951.96 ea Total: \$75,903.92

Gem City Ford Lincoln Mercury, Quincy, IL, for 2006 Ford Expedition SSV package;
With trade-ins: \$25,695.83 ea. Total: \$51,391.66

Chief McCracken and myself have reviewed the bids and request for approval to purchase the vehicles proposed from, Friendly Ford, Springfield, MO. with trade-ins for \$47,793.88. Projected delivery of vehicles would be in 60 days after granting of bid.

Respectfully:
Fire Chief
Greg Hickman

**FIRE DEPARTMENT – SUV's
WEAPONS OF MASS DESTRUCTION GRANT
BID OPENING SUMMARY**

Attached is a compilation of the bids received for SUV's for the Fire Department and the Police Department of the City of Neosho.

The bid opening was held at 10:00 a.m., February 21, 2006 in the Conference Room of City Hall. Present for the opening were Greg Hickman, James Otten, Mike Amato, Jeff Barratt, and Kim Messer.

The following bids were received:

Gem City Ford Lincoln Mercury Bid: 2, 2006 Ford Expeditions SSV's
5101 Broadway, P.O. Box 3505 \$25,695.83 each
Quincy, IL 62305-3505 Pricing includes trade-in
Total: \$51,391.66

Crossroads Chevrolet, Cadillac Bid: 2, 2007 Chevy Tahoe's
1600 East 7th Street \$31,544.78 each
Joplin, Mo 64801 Minus \$3,089.57 Trade
Total: \$59,999.99

Landers McLarty Jeep Bid: 2, 2006 Ford Expeditions SSV's
P.O. Box 2119 \$55,903.52 for both
Bentonville, Ar 72712 Minus \$3,800 trade for Jeep and
Ford Crown Victoria
Total: \$52,103.52

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Friendly Ford, Inc. 3241 S. Glenstone Springfield, MO 65804	Bid: 2, 2006 Ford Expeditions \$25,496.94 each Minus \$3,200 Trade Total: \$47,793.88
Jimmy Michel Motors, Inc. 555 South Elliot Aurora, MO 65605	Bid: 2, 2006 Ford Expeditions \$25,949 each Minus \$3000 Trade Total: \$48,898.00
Les Jacobs Ford-Mercury	No Response
Neosho Chrysler-Dodge-Jeep	No Response
Neosho Ford Mercury	No Response
Village Chevrolet-Buick-Oldsmobile-Pontiac-GMC	No Response
Spradling Motors, Inc.	No Response
Mayes Auto Group	No Response
Pinegar Chevrolet	No Response
Putnam Chevrolet-Pontiac Inc.	No Response
Kenny Neal Ford	No Response
Joe Machens Ford	No Response
Cheek Auto Mall, Inc.	No Response
George Nunnally Chevrolet, Inc.	No Response
Carthage Ford Mercury	No Response
Griffith Motor Company	No Response
Campbell Vance Ford	No Response

Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to award the bid to Friendly Ford.

Roll call vote:

Jeff Werneke-Yes, Howard Birdsong-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes.

Motion carried.

Neosho Police Department - Telephone System

The following bid recommendation was presented for consideration.

February 20, 2006
To: Jim Cole City Manager
Subject: Phone system and Voice Mail

Last week we experienced a number of power failures at our location. After this we discovered that our phone system had been damaged. We no longer could forward our calls to central dispatch at night and we had no voice mail.

We contacted our service provider for the system OT&E of Neosho who responded and got the system to forward at night on a temporary basis by using SBC equipment. They since have evaluated the system and found it to be damaged beyond repair as far as forwarding and voice mail is concerned.

As you may recall this system is very old, having been used by City Hall prior to moving to the current location. This system is no longer supported by the manufacturer and is no longer compatible with current production products. We have been aware of this issue but had hoped to make it last until we could budget for a new system.

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The ability to control our phone system and have voice mail is critical to our operation. This is how our officers receive their messages from the public when they are on patrol or off duty. It is hard to imagine how any organization can be effective without proper communication between its members and the public.

I would like to take bids to determine the cost of a new system. The system will be expandable and have the ability to grow as our needs change.

I believe this constitutes an emergency purchase due to the essential nature and would like to purchase the replacement based on FAX bids.

David McCracken

February 28, 2006

To: Jim Cole

Ref: Bids for phone system

We sent out for FAX bids to six different companies.

- | | | |
|----|-------------------------|-----------------|
| 1. | Digital Entertainment | Springdale, AR. |
| 2. | Executive Communication | Nixa, Mo. |
| 3. | Di-Comm Inc | Branson, Mo. |
| 4. | Tri-County Telephone | Ozark, Mo. |
| 5. | Total Comm | Tulsa, Ok. |
| 6. | OT&E | Neosho, Mo. |

We received no bid from three companies due to the distance or being out of State.

1. Digital
2. Di-Com
3. Total Communication

Bids received:

- | | | |
|----|--------------------------|------------|
| 1. | OT&E Inc | \$7,914.44 |
| 2. | Tri-County | \$7,486.00 |
| 3. | Executive Communications | \$7,200.00 |

After reviewing the bids it is determined that Tri-County and Executive Communication are using a different method to suppress interference and damage from power surges and lighting. They are putting suppressors at different locations in the system while OT&E is putting suppressors on all locations.

Executive Communication has left the installation open on "any faulty wire will be corrected at \$75 per hour.

All bidders provide installation in the bid. Executive and Tri-County require fifty percent deposit before work is started. All bidders have service available but OT&E is the only bidder who including training in the bid price.

It is my recommendation that we select the bid of OT&E for this product for the following reasons.

1. It is a local company whom we have done business with and currently maintains our phone system.
2. They will provide local and after hours service when required.
3. They provide additional surge protection of our system in the bid.

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4. They will provide as much training as necessary for us to get full benefit.
5. The extended distance a service person would travel to reach our location and related cost thereof.

March 2, 2006

To: Jim Cole City Manager

Subject: Phone bid supplement

Digital Entertainment of Rogers, AR. submitted a bid one day later than the other bidders. Their bid includes all the required components and handles the surge protection at one location rather than on each line.

The bid is \$7162 including installation. No training allowance is included but they have included a remote programming option due to their distance from our site. They require a service contract at a cost of 10% of the cost of the system (\$716) per year. This will provide a response for service of normally 24 hours or less, Monday thru Friday 8 till 5.

All Bids Received

1.	OT&E	\$7,914	Neosho, Mo.
2.	Tri-County	\$7,486	Ozark, Mo.
3.	Executive Communications	\$7,200	Nixa, Mo.
4.	Digital Entertainment	\$7,162	Springdale, Ark

After reviewing this bid I still feel we should select OT&E for the reasons listed. I believe over the life of the system the difference in price will be overcome by maintenance cost.

Chief McCracken informed the council that he was notified this afternoon that OT&E, Neosho, Missouri, would not be able to supply the product due to conditions beyond their control.

Chief McCracken, in light of the withdrawal by OT&E, recommended awarding the bid to the next lowest bidder which would be Digital Entertainment, Springdale, Arkansas in the amount of \$7,162.00.

Discussion followed concerning the optional service contract. It was noted that OT&E would be able to service the system, and Chief McCracken recommended awarding the bid without the optional service contract.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to award the bid to Digital Entertainment in the amount of \$7,162.00.

Roll call vote:

Howard Birdsong-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-200...Annexing property located at 1532 Donna Place into the corporate limits of the City of Neosho, under District R-1, First Dwelling House District Classification as petitioned by Scott and Susan Forbes...2nd & 3rd Readings

Bill No. 2006-200 for Ordinance No. 243-2006 was read by title only by Mr. Hays.

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Motion was made by Councilman Werneke and seconded by Councilman Smallwood to pass Bill No. 2006-200 on second and third readings.

Roll call vote:

Matthew Persinger-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Yes.

Motion carried.

Golf Course Discussion

The city council, in relation to the recent discussions concerning the refinancing of the golf course debt, discussed setting a fiscal policy whereby funds in excess of debt payments made would be set aside in a separate fund account to help pay down the debt over time. City Attorney Hays was given direction to prepare a resolution for consideration at the next council meeting to include a requirement that a minimum amount of \$25,000 to be budgeted each year in a separate line item, with language encouraging setting aside more than that amount when available; and in the event revenues would not reach the level that would allow a portion of or all of the minimum amount to be set aside, the city council would review that and make a decision, if there would be a shortfall. Also, at the end of the fiscal year, if there were excess funds over and above the minimum within the line item for that year, a part of those excess funds could be appropriated for capital expenditures, if necessary, for the next budget year. Reviews would be conducted during the quarterly budget review.

CORRESPONDENCE

Department of Economic Development

Mayor Birdsong reported that the Missouri Department of Economic Development has notified the City of Neosho that the application to establish an Enhanced Enterprise Zone with Neosho/Newton County has been approved.

NEW BUSINESS

Presentation of petitions submitted by the Newton County Commission and the Neosho R5 Charitable Foundation Board to annex properties into the corporate limits of the City of Neosho.

The City Council was presented with petitions submitted by the Newton County Commission and by the Neosho R5 Charitable Foundation Board to annex properties into the corporate limits of the City of Neosho

The petitions were accepted and remanded to the Planning & Zoning Commission for recommendation and public hearings scheduled for the next City Council meeting.

Adopt Resolution Bill No. 2006-2...Setting certain regulations, fees and rental agreement terms for the Neosho Recreation Center and facilities.

Resolution Bill No. 2006-2 for Resolution 48-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to adopt Resolution Bill No. 2006-2.

Roll call vote:

Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Yes, Matthew Persinger-Yes.

Motion carried.

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Consider 2006 Loan Agreement between the National Museum of the United States Air Force and the City of Neosho

Mr. Cole informed the council that the loan agreement is for the jet airplane which will be displayed at the entrance of Premier Turbines. The agreement extends the loan of the airplane for another year. The airplane is getting repainted and is scheduled to be mounted this summer.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to approve the agreement as presented and authorize Mayor Birdsong to execute same.

Roll call vote:

Jeff Werneke-Yes, Howard Birdsong-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes.

Motion carried.

Consider Region M Solid Waste Management District Financial Assistance Agreement

Mr. Cole informed the council that the agreement is for a 100 percent funded grant to install a compost pad for mixing leaves at the recycling center. The terms of the agreement required prior signature.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to approve the agreement as presented.

Roll call vote:

Howard Birdsong-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes.

Motion carried.

REPORT OF CITY OFFICERS

City Manger Cole

Mr. Cole reported that the crews are working very hard to finish the road at Morse Park by the end of the week and then start on the South Street project. The city can finish all of the road portion of the South Street project. The grant is strictly for the bridge and the road connecting up to Cash Street. Sewer and water lines will need to be relocated.

Mayor Birdsong

Mayor Birdsong reported that he had attended a MoDOT meeting this morning concerning the Howard Bush Drive extension. The preliminary drawings for the intersection were presented. MoDOT has agreed in principal to the cost sharing; however, their monies will not be available until 2009 or 2010. They assigned a project manager and that project will be moving forward. The traffic study was just completed and it will be reviewed.

VISITORS BUSINESS

There was none.

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APPROPRIATIONS

Master Fund Appropriation Ordinance No. 2174 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ord. No. 2174 in the amount of \$182,304.48 on 1st Reading.

Discussion followed concerning payments to Fabick Tractor for backhoe parts

Mr. Mike Hightower explained the repairs to the backhoe. As one part was ordered and being replaced, another part was found to be in need of repair and then another part. The parts were purchased from Fabick with the city providing the labor for the repairs.

Discussion followed concerning who has authority to determine whether repairs of this nature would be done.

Roll call vote:

Matthew Persinger-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Yes.

Motion carried.

Master Fund Appropriation Ordinance No. 2174 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ord. No. 2174 in the amount of \$182,304.48 on 2nd & 3rd Readings.

Roll call vote:

Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Yes, Matthew Persinger-Yes.

Motion carried.

CLOSED MEETING

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to close the meeting pursuant to RSMo. Section 610.021(1) and RSMo. Section 610.021(3).

Mayor Birdsong noted that under RSMo. Section 610.021(3) the council will be talking about the hiring of the city manager's position and will be able to give the media an update on what the process is going forward.

Roll call vote:

Jeff Werneke-Yes, Howard Birdsong-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes.

Motion carried.

Mayor Birdsong closed the meeting at 7:55 p.m.

RECONVENE

The meeting reconvened in open session at 8:44 p.m.

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Mayor Birdsong announced that the council talked with the city attorney about a legal matter and no action or vote was taken.

The council talked about the city manager's position and process. Twenty-four résumés were received for the position. Each member of the council had copies of the résumés and each member of the council rated them and the council has pared the candidate list to six. Each applicant was rated independently, and then the Mayor tabulated the scores and the six came to the top. The next step, to begin immediately, is background and reference checks on the six candidates. There will be several of the twenty-four that will receive letters from the city thanking them for their interest, but that they will not be considered any further. Once the background and reference checks have been completed, the council will attempt to narrow it down to maybe half, if it's possible; and ultimately identify at least one candidate for an on site interview, hopefully to occur in the next 30 to 60 days. That is what the council discussed and decided.

ADJOURN

There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 8:46 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
March 21, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Rev. William Doubek

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jim Cole, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of March 7, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to approve the minutes of the Regular Session of March 7, 2006

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Abstain, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of March 7, 2006

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to approve the minutes of the Closed Session of March 7, 2006

Roll call vote:

Sherry McCormack - Abstain, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

AWARDS & PRESENTATIONS

2006 Class of Leadership Neosho

Mayor Birdsong welcomed the members of the Leadership Neosho class who were present and attending the meeting.

La-Z-Boy Midwest

Billy Meyer and Barb Ebbinghaus, representing La-Z-Boy Midwest, presented Mayor Birdsong with a check for a donation of \$40,000 for renovation of the building which will house the Lampo Community Center in Morse Park.

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Mayor Birdsong noted that over the years, including this donation, La-Z-Boy Midwest has contributed in the neighborhood of \$100,00 to the City of Neosho for various projects including the concession stand; the sand volleyball courts; the walking bridges; sponsored youth activities in the sports programs for many years; and within the community, La-Z-Boy has donated chairs for various fundraisers over the years.

In recognition of the contributions of La-Z-Boy, Mayor Birdsong presented Mr. Meyer and Ms. Ebbinghaus with a street sign which will designate the new road in Morse Park as La-Z-Boy Drive.

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Birdsong announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Steve Roark, A.W. Lavender, Bill Dobbs, and Sherry Frad were recognized and placed on the agenda under Visitors Business. Without objection, Visitors Business was forwarded on the agenda for the purpose of allowing Mr. Roark to address the council as he needed to leave early to attend another meeting.

VISITORS BUSINESS

Mr. Steve Roark - Thomas Hart Benton Festival

Mr. Roark reported on the Thomas Hart Benton Festival, sponsored by the Newton County Tourism Council, which will be held April 21 through April 23, 2006. Activities will include art history presentations; scholars, historians and muralists; T. H. Benton Mural Displays; T. H. Benton Photo Exhibit; Mural Competition; Civil War Reenactments; and walking tour activities. Other activities include the Dogwood Tour sponsored by the Neosho Rotary Club and the National Fish Hatchery Tours and Kid's Day sponsored by the National Fish Hatchery. The festival will be county wide with activities also being held in Diamond, Granby, Newtonia, Seneca, and Joplin. Mr. Roark invited members of the audience to attend a dinner by invitation only to be held April 21, provided they would contact him on Wednesday, if they planned to attend, in order to have a count of persons attending the dinner.

BIDS

Street Department - Repairs to Big Spring Hill

The following bid recommendation was presented for consideration.

DATE: 3-15-06
TO: Honorable Mayor and Councilpersons
FROM: Jim Cole, City Manager
SUBJECT: Repair of Big Spring Hill

Bid requests were sent out to two local contractors for the repair or stabilization of Big Spring Hill Wall.

The wall holding up Big Spring Hill Road is falling out into the Chamber parking lot.

I had Allgeier Martin & Associates engineers to design a retaining system to stabilize the wall to prevent further movement.

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CORRESPONDENCE

Neosho Area Chamber of Commerce - City Wide Garage Sale

Mayor Birdsong reported that council received a letter through the Traffic Commission requesting support to use city streets and support services for the garage sale to be held on Saturday, April 1. Without objection, the request was granted.

NEW BUSINESS

Presentation of 2004-2005 Fiscal Year Audit Report - Davis, Lynn, Moots P.C.

Mr. John Everest presented the audit report for the fiscal year ending September 30, 2005 and reported that the City of Neosho received a clean opinion on the financial statements which is the highest opinion that a governmental entity can receive, which is the same opinion as was received last year.

Mr. Everest reviewed the various statements within the budget and noted that the city was in budgetary compliance this year. This is a common area where a lot of cities have problems with as far as being out of budgetary compliance. If you spend more in any given fund than what was budgeted, you will be out of compliance. The City's final budget expenditures were \$5,560,398 and it spent \$5,150,297; so, you have a positive variance of \$410,101.

The auditors comments and suggestions were as follows.

Water Loss Percentage: During our audit we noted that the city water loss percentage was 42 percent for the year. Normal loss percentages for cities range from 15% to 20%. This could indicate leaks, old unreliable meters, or undocumented City usage.

We recommend: The City adopt a meter replacement program, continue to investigate lines for leaks, and investigate for undocumented City usage. We further recommend the City investigate the possibility of water service to customers that are not being billed.

Bank Reconciliation Review: Although the small size of general administrative staff limits the extent of separation of duties, we believe certain steps could be taken to separate incompatible duties. The deputy treasurer currently has access to all phases of certain transactions and prepares the bank reconciliations.

We Recommend: The City Manager or City Clerk receive and review the bank statements and cancelled checks prior to turning them over to the deputy treasurer to prepare the bank reconciliations. We further recommend the City Manager or City Clerk review the reconciliations after they are prepared.

We will review the status of these comments during our next audit engagement. We have already discussed these comments and suggestions with the City's administrative personnel.

Parks Department – Fourth of July Celebration Report

Mr. Jon Harden addressed the council and reported on the plans for the Celebrate Neosho activities which will be held Friday, June 30 through Sunday, July 2, 2006. Some of the entertainers will be performing at a significantly less amount than normal which will allow more activities.

The activities will start on a Friday with three bands booked with a professional sound and lighting company and stage in place; and an all night softball tournament.

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On Saturday, activities include Rock n' Rodeo (pending); Duke Mason Band; Clover Road; Colgate Country Showdown; Jana Jae (pending); Livewire: Fireworks; Inflatables; Petty Zoo; Fiddle Contest (pending); Car and Motorcycle Show (pending); and Vendors (various - pending).

On Sunday, activities will include Duke Mason - solo; Canaan Bound; Signature Quartet; Stella; and BBQ Chicken Dinner.

Current Sponsorship Commitments include KBTN Radio who will be sponsoring the Colgate Palmolive Country Showdown; Family Pharmacy Group - Family Pharmacy, Country Care Pharmacy, Advantage Healthcare; Law Office of Steven A. Hays; Twin Rivers Foods, Inc.; Cable Net Advertising-Neosho; Best Western Big Spring Lodge; and KODE/KSNF Television - details pending.

Approximately \$7,500 dollars above and beyond the fireworks display will be required for the activities. Commitments for \$3,000 of that funding has been secured. Three other sponsors have been asked to participate and responses are anticipated from them within the next seven to ten days. Each has agreed to a specific amount and with that there will be more than needed to fund the event.

Public hearing regarding a petition submitted by the Newton County Commission to annex property into the corporate limits of the City of Neosho.

Mayor Birdsong opened the floor for public comment. There being no comments from the public, Mayor Birdsong closed the public hearing.

Public hearing regarding a petition submitted by the Neosho RV School District Charitable Trust Foundation to annex property into the corporate limits of the City of Neosho.

Mayor Birdsong opened the floor for public comment. There being no comments from the public, Mayor Birdsong closed the public hearing.

Bill No. 2006-201...Amending the 2005-2006 Fiscal Year Budget...1st Reading

Bill No. 2006-201 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman McCormack to pass Bill No. 2006-201 on first reading.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Appoint an Acting Treasurer for the City of Neosho

Mayor Birdsong stated that the Finance Director, Cheryl Mosby, had been the Treasurer of the City and that someone needs to be appointed, at least on a temporary basis, to that position.

Mayor Birdsong recommended appointing the City Clerk, Eric Haddock, as acting City Treasurer until the replacement for the finance director has been named, at which time the council can come back and re-visit that issue. He has filled that position in years past.

Without objection, City Clerk Haddock was appointed as the acting City Treasurer.

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Adopt Resolution Bill No. 2006-3...Designating signatories to municipal checking accounts.

Resolution Bill No. 2006-3 for Resolution 49-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to adopt Resolution Bill No. 2006-3.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Adopt Resolution Bill No. 2006-4...Setting policy for golf course funds

Resolution Bill No. 2006-4 for Resolution 50-2006 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to adopt Resolution Bill No. 2006-4.

Discussion followed with the council reviewing the policy as presented.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider Amendment No. 1 to the agreement, dated December 15, 1995, between the City of Neosho and the Missouri Department of Conservation

Mr. Cole reported that he and Mr. Workman had met with the Department of Conservation's Director of Fisheries to stock trout in the stream at Morse Park. The agreement outlines the responsibilities of both parties and he would recommended approval.

Mayor Birdsong reported that a local group is interested in working with the two parties to establish a Stream Team.

Teresa Van Winkle addressed the council and stated that MAKO Fly Fishers currently has a Stream Team at Capps Creek and would like to establish a Stream Team for the Hickory Creek project.

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to approve Amendment No. 1 to the agreement, dated December 15, 1995, between the City of Neosho and the Missouri Department of Conservation

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

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Consider Amendment No. 9 to Grant Agreement No. 68-6424-096 between the City of Neosho and the Natural Resources Conservation Service.

Mr. Cole informed the council that the grant amendment in the amount of \$50,000 would allow the purchase of the last house at 913 College Street and complete the College Street buyout project. The city does have some land that can be sold to provide the match.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to approve the amendment as presented.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

Consider Fee Proposal for Professional Engineering Services with Tri-State Engineering

Mr. Cole informed the city that he had requested Tri-State Engineering to prepare a cost for completing the needed engineering on Morse Park Road (La-Z-Boy Drive). Tri-State Engineering will be dealing with MoDOT and the railroad on closing the crossing on Industrial Drive on the Howard Bush Extension project and this project will involve working with the same parties.

The city's part of the project is to construct the road base and drainage. Some preliminary engineering has been done, and Tri-State's fee proposal is for completion of the surveying and engineering services. The grant is for the paving of the road and does not include this expense.

Mr. Cole recommended using Tri-State Engineering and enter into an agreement for the design work for the Morse Park Project to submit to MoDOT.

Motion was made by Councilman Smallwood and seconded by Councilman McCormack to approve as presented.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Authorize use of right of way by Greg Gibson

Mr. Cole informed the council that Mr. Greg Gibson has requested permission to utilize an easement/right-of-way in conjunction with the operation of his business, Rainbow Park, located at 505 E. Spring Street. When the city purchased the adjacent land it acquired several railroad right of ways which traverse Mr. Gibson's property. The city has no need to maintain the right-of-way. There will be no permanent structures placed on this property and it will be used only for landscaping and walkways.

Mr. Cole recommended authorizing use of the right-of-way by Mr. Gibson.

Motion was made by Councilman Smallwood and seconded by Councilman McCormack to grant use of the right-of-way.

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Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

VISITORS BUSINESS (Continued)

Ms. Sherry Frad

Ms. Frad addressed and informed the council that she had been cited for having a vehicle which not tagged, not inspected, and not insured. Ms. Frad expressed her concerns that she had been singled out as there were other abandoned vehicles on Maple Street. Ms. Frad also expressed her concern about the operating hours at the transfer station.

Mayor Birdsong informed Ms. Frad that this will be looked into and someone from the city will be contacting her.

Choppers for Children

Mr. A.W. Lavender addressed the council and requested that he be permitted to make his presentation without interruption and the request was approved.

Mr. Lavender informed the council that he has several pages of petitions. Each page of the petitions read as follows: "Whereas, we have an ordinance No. 600.050 prohibiting the sale and consumption of alcohol on Neosho's public square; and whereas, alcohol related social problems, diseases, highway accidents, and crime are on the rise; and whereas, circumventing our laws to allow said public drinking for any cause does not promote Neosho's positive image and sends the wrong message to our children; therefore, we the undersigned concerned citizens and voters request that our city leaders put principals over profit and find more positive and creative methods to attract Choppers for Children and/or raise funds for Children's Miracle Network."

The petitions were not submitted to the council.

Mr. Bill Dobbs, representing the Choppers for Children organization addressed the council. Mr. Dobbs stated that last years inaugural event brought approximately 6,500 people to the square with no incidents. This years event should see 10,000 coming to Neosho for these activities and fits in nicely with bringing tourism to Neosho along with the Thomas Hart Benton Festival and the Celebrate Neosho activities. This years activities include Big Smith, a popular band out of Springfield; Oriel Blue, a band out of Fayetteville; Kirby Kelly, a blues musician; the Ben Miller Band; approximately 50 vendors; the Rolling Thunder Dyno which measures motorcycle performance; the Anaconda motorcycle; an OCC Bike, a Kansas City Royals commemorative bike, with a former Kansas Royals player to sign autographs; Custom Cycles of Osage Beach; various bike events; an auction; the Christian Motorcycle Organization will be in charge of all the gates; the Neosho Shrine Club will be helping; food and beverage vendors in addition to the beer garden; the Methodist Women are having a pancake feed in the morning; and there are other activities.

City Attorney Hays stated I would like to address, there's certainly a question that has posed by many people as far as the legality of this action taken by the council and specifically, as Mr. Lavender quoted, Section 600.050 of our Code of Ordinances. I would briefly just want to correct one thing Mr. Lavender did state. He indicated that Section 600.050 specifically states on the square. I believe that was in his petition. It doesn't quite state that. It does state public roads, streets, etc., which would certainly entail the square as well as all other streets within the City of Neosho.

Council Minutes - March 21, 2006

The city council derives its authority through the actual charter of the city; and the charter specifically, there is Section 1.03: Powers of the City, states "The city may exercise all powers not denied by the Constitution or Statutes of Missouri or this Charter." The charter is important to acknowledge because the charter and the code of ordinances are two different documents, similar to the Constitution of the U.S. and the laws and federal laws of the U.S.

Section 1.04 the construction of this charter states "The powers of the City shall be construed liberally in favor of the City, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power stated in this article." What that means is that the city council, when it comes to the ordinance itself, does have the power to override, on specific situations, the ordinances themselves. This would be common.

Probably the most common is the Neosho Yard Sale, that we have had for many years, where High Street and Oak Ridge Boulevard are designated one way streets rather than two way streets. What the council did, upon the request of Choppers for Children's Organization, was make a determination that the square for that day would become in reality a private location; and would be private locations for the purposes of hosting the Choppers for Children bike rally. Once it became a private location, or once it's designated as such, it can then have alcohol served upon those premises.

This would be very similar to the auditorium for instance. It is a public building, but when an individual or a party rents that building out just for themselves, they are authorized to serve alcohol in that public facility...obtained permission to host golf tournaments, closing that for purposes of hosting just that golf tournament. This has also been done at the public parks when areas are designated for certain activities, many of which are religious activities and the general public is excluded from that area, family reunions, things like this exclude the public itself. So, in the interpretation of what has happened, the council has authorized the square to become private for the Choppers for Children and they have authorized the Choppers for Children Organization to run a small beer garden within that private facility. Therefore it is my interpretation, and it would be something that I feel would be supported by not only the code but by the law itself, that what the council has done is in fact legal.

Additional time was given to address the Choppers for Children event and comments were made, questions asked, and responses given with no further action taken.

REPORT OF CITY OFFICERS

Airport Fixed Base Operations

Mr. Cole reported that the Airport Industrial Development Board wants to seek proposals for a fixed base operator and this would be his recommendation as well. As a result, he has placed an advertisement in the newspaper. Discussion followed

Schedule Special Session

Mayor Birdsong announced that the council will meet with the city attorney March 28 at 7:00 p.m. in special session, which will be closed pursuant to RSMo. Sec. 610.021(3) ...Hiring, firing, disciplining or promoting an employee of a public governmental body. The intent will be to pare down the possible six candidates after a review of the background and reference checks.

Retirement Reception

Mayor Birdsong announced that a reception will be held on Thursday, March 30, from 4:30 p.m. to 6:30 p.m. for City Manager Jim Cole upon his retirement.

Council Minutes - March 21, 2006

City Manager's Close Remarks

Mr. Cole expressed his appreciation for the honor of being able to serve the City of Neosho and his pleasure in working with the current and past city councils and the employees of the city.

APPROPRIATIONS

Appropriation Ordinance No. 2175..1st Reading

Master Fund Appropriation Ordinance No. 2175 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Persinger to pass Master Fund Appropriation Ord. No. 2175 in the amount of \$756,924.03 on 1st Reading. Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Appropriation Ordinance No. 2175..2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2175 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to pass Master Fund Appropriation Ord. No. 2175 in the amount of \$756,924.03 on 2nd & 3rd Readings. Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CLOSED MEETING

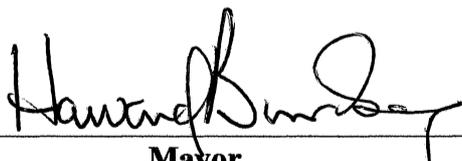
There was none.

ADJOURN

There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 9:30 p.m.

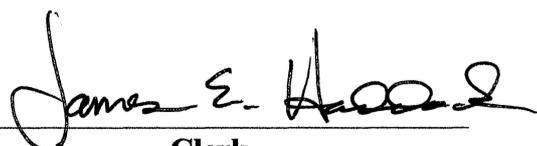
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

**MINUTES - SPECIAL SESSION
NEOSHO CITY COUNCIL
March 28, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO**

A quorum being present, Mayor Birdsong called the meeting to order at 7:07 p.m.

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke.

Also present: Steven Hays, City Attorney; and Eric Haddock, City Clerk

NEW BUSINESS

Adopt Resolution Bill No. 2006-5...A Resolution Directing Compliance With Section 92.086.6 Of HB209 Passed in 2005 By Promulgating And Publishing The Rate Of Taxation For Telephonic Service Under Section 640.080 Of The Neosho City Code.

Resolution Bill No. 2006-5 for Resolution 51-2006 was read by title only by Mr. Hays.

Motion was made by Councilman McCormack and seconded by Councilman Persinger to adopt Resolution Bill No. 2006-51.

City Attorney Hays informed the council of the provisions of HB209 which establishes a deadline of April 1, 2006 for cities to set revenue neutral tax rates to apply to telecom companies. The purpose is to roll back the gross receipts tax rate to avoid a windfall in receipts, as a result of applying the gross receipts tax to cell phone service. Currently the gross receipts tax applies to land lines. Additionally, the Missouri Supreme Court will hear arguments on the constitutionality of HB209 in April.

Mr. Hays recommended passage of the resolution at this time and at such time as the State of Missouri and the State Auditor provides cities with the information necessary to set a neutral tax rate, then at that time the city should change the rate, if necessary, by ordinance provided the constitutionality is upheld.

Discussion followed.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes. Motion carried.

CLOSED MEETING:

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to close the meeting pursuant to RSMo. Sec 610.021(3).

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes. Motion carried.

Mayor Birdsong closed the meeting at 7:22 p.m.

Council Minutes - March 28, 2006

RECONVENE

The meeting reconvened in open session at 9:00 p.m. and Mayor Birdsong announced that the council discussed personnel matters and one vote was taken. The vote will be disclosed with 72 hours.

ADJOURN

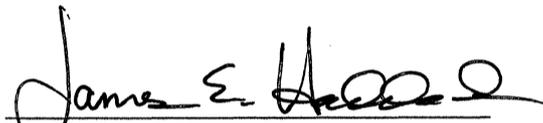
There being no further business, Mayor Birdsong adjourned the meeting at 9:00 p.m.

APPROVED:

NEOSHO CITY COUNCIL


Mayor

ATTEST:


Clerk

MINUTES
NEOSHO CITY COUNCIL
April 4, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Councilman Smallwood

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Dave McCracken, Acting City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of March 21, 2006

Motion was made by Councilman McCormack and seconded by Councilman Werneke to approve the minutes of the regular session of March 21, 2006. Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Special Session of March 28, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the special session of March 28, 2006. Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Closed Minutes of March 28, 2006

Motion was made by Councilman McCormack and seconded by Councilman Werneke to approve the closed minutes of March 28, 2006. Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

AMEND AGENDA

Without objection the agenda was amended to include, under Item 5 of New Business, additional amendments to the street light contract with Empire District Electric and under Item 6 of New Business, Change Order # 1 to the agreement between the City of Neosho and Branco Enterprises for Sidewalk and Lighting Improvements.

Council Minutes - April 4, 2006

PROCLAMATIONS

Mayor Birdsong issued the following proclamations:

Employer of the Month

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Griffith Motor Company began its operations in Neosho in 1933 and has been a part of the Neosho business community since; and

Whereas, Griffith Motor Company has continued doing business since that time in the field of automobile sales and services; and

Whereas, Griffith Motor Company, since beginning their business, has added 53 new employees increasing the number of employees from 2 to 55 and the size of their facility from 2,000 sq. ft. to the present 20,000 sq. ft.

Now, therefore, I, Howard Birdsong, Mayor of the City of Neosho, do hereby proclaim Griffith Motor Company as Neosho's April 2006 Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 4th day of April, 2006.

/s/Howard Birdsong, Mayor

YMCA Healthy Kids Day

WHEREAS: The mission of the YMCA is to build strong kids, strong families and strong communities through programs that focus on developing healthy mind, body and spirit for all.

WHEREAS: Our children's health is a concern for the whole community; that parents can be the best role models for their kids; and that kids' health habits mirror those of their parents and other adult role models; and children who possess knowledge of and who are taught to practice healthy habits will grow into strong adults, this exciting day is a great time for communities to come together to learn more about healthier lifestyles.

WHEREAS: The Freeman Southwest Family YMCA serving Neosho is dedicated to providing programs and services to over 6000 youth and adults; and

WHEREAS: Community-based responses are vital to alleviate the growing epidemic of obesity and physical inactivity, particularly among young people.

WHEREAS: YMCA Healthy Kids Day is a national event celebrating healthy living and helping kids and families embrace habits that can become a lifelong practice.

WHEREAS: On April 8, 2006, The Freeman Southwest Family YMCA will sponsor YMCA Healthy Kids Day to help our youth become healthier.

NOW, THEREFORE, I, Howard Birdsong, do proclaim that Saturday, April 8, 2006 shall be observed as: **YMCA Healthy Kids Day**

Council Minutes - April 4, 2006

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Neosho, MO to be affixed at the City Hall this 4th day of April in the year 2006.

/s/Howard Birdsong, Mayor

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Birdsong announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

Golf Course Committee

Mayor Birdsong announced that three vacancies will exist for terms of 3 years beginning May 1, 2006 due to the expiring terms of Larry Neff, Dr. George Olive, and Kenneth Tyler.

Park Board

Mayor Birdsong announced that two vacancies will exist for terms of 3 years beginning May 1, 2006 due to the expiring terms of Bobby Gregg and Scott Swope.

Recreation Board

Mayor Birdsong announced that two vacancies will exist for terms of 3 years beginning May 1, 2006 due to the expiring terms of Marty Yust and Tony Woods.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. Bobby Greg was recognized and placed on the agenda under Visitors Business and without objection, Visitors Business was forwarded on the agenda.

VISITORS BUSINESS

Mr. Bobby Greg - Neosho Recycling Center

Mr. Greg informed the council that interest has been expressed from a private company as to purchasing the Recycling Center. One of the goals when the center started was to establish a facility that would one day be taken over by a private entity. With the council's support the center will be going out for RFP's rather than selling it to the first person who steps up to the plate; and hopefully, the RFP's will be ironed out and sent out within the next two weeks. Before that happens, after all the I's have been dotted and T's crossed, it will be brought back before the City of Neosho, the Region M Solid Waste Management District, and Associated Recyclers for approval.

City Attorney Hays informed the council that, although the city does not own the facility, it does own the property, and it is his understanding that Mr. Harry Rogers will be contacting him and they will be going over a few more of those details. The proposal is partially for the purchase of the facility and partially for the purchase of the property, unless the city wants to enter into a long term lease with the purchaser, both of those options are available.

Mayor Birdsong noted that before the city can make a reasonable decision whether to sell or lease the property, it will be necessary to obtain an appraisal to determine fair market value and enter into negotiations when it reaches that point.

Council Minutes - April 4, 2006

BIDS

There were none.

UNFINISHED BUSINESS

Bill No. 2006-201...Amending the 2005-2006 Fiscal Year Budget...2nd & 3rd Readings

Bill No. 2006-201 for Ordinance No. 244-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman McCormack to pass Bill No. 2006-201 on second and third readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

CORRESPONDENCE

Missouri Department of Transportation - Traffic Study

Mayor Birdsong reported the following correspondence was received from the MoDOT:

We have completed the traffic study for a traffic signal at McCord Street and MO 86/Business 60 in Neosho.

The location has enough traffic to justify a traffic signal. The spacing between McCord and Harmony is less than desirable, but we are agreeable to the installation of a traffic signal at McCord Street if it is interconnected to the signal at Harmony Street. Also, northbound right turn volumes are high enough that a right turn lane will be needed. Due to the close proximity of driveways to the intersection, raised median islands will be needed. Geometric details for a traffic signal will be finalized during the actual design.

MoDOT does not presently have funds available for this project. We will place it on our unfunded needs list. This is a prioritized list as funds become available projects are selected from it.

NEW BUSINESS

Bill No. 2006-202...Annexing property into the corporate limits of the City of Neosho as petitioned by the Newton County Commission...1st Reading

Bill No. 2006-202 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-202 on first reading.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Council Minutes - April 4, 2006

Bill No. 2006-203...Annexing property into the corporate limits of the City of Neosho as petitioned by the Neosho R-V School District Charitable Trust Foundation under Zoning District R-1, First Dwelling House District...1st Reading

Bill No. 2006-203 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Werneke to pass Bill No. 2006-203 on first reading.

City Attorney Hays, in response to the recent transfer of the title from the Charitable Trust Foundation to the Neosho R-V School District, informed the council that the Neosho R-V School District should present a petition to proceed with the annexation before further action is taken.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to table Bill No. 2006-203.

Bill No. 2006-2003 was tabled without further action.

Authorize and approve an agreement with Allgeier, Martin & Associates, Inc. to prepare plans and specifications for the Region M Grant to construct a compost pad at the Recycling Center.

Mayor Birdsong noted that the City of Neosho was recently awarded a grant in the amount of \$22,960 for the construction of a compost pad at the Neosho Recycling Center. The agreement with Allgeier, Martin & Associates is for the development of construction plans, specifications, and contract documents for the compost pad.

Discussion followed concerning engineering fees in the amount of approximately \$10,000.

Further action was postponed until the next meeting in order for Mr. Greg to obtain additional information regarding engineering requirements.

Authorize and approve an agreement with Tri-State Engineering, Inc. to negotiate the acquisition of right-of-ways and easements.

Mayor Birdsong noted that the City of Neosho has obtained easements for the extension of Howard Bush Drive; however, additional right of way is needed and the agreement is to authorize Tri-State Engineering to negotiate the additional acquisition.

Motion was made by Councilman Persinger and seconded by Councilman McCormack to approve the agreement with Tri-State Engineering, Inc. as presented.

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Amend agreement with Empire District Electric Co. to install street lights along Main St. between Washington and Lafayette and along Washington St. between Main and Hickory; at Toni Kem & Stephens Street; at Neosho Boulevard and Walnut Drive; and at 222 E. Coler.

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to approve the amendments as presented.

Council Minutes - April 4, 2006

Roll call vote:

Sherry McCormack - Abstain, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Consider Change Order No. 1 to Contract Agreement between the City of Neosho and Branco Enterprises, Inc. for sidewalk and lighting improvements.

Mayor Birdsong noted that the original contract amount was \$139,900 and the amendment will add \$18,000 in changes for a total amount of \$157,900. There will be no cost to the city. The improvements are funded by tax credits issued by the Missouri Development Finance Board.

Discussion followed.

Motion was made by Councilman McCormack and seconded by Councilman Persinger to approve the change order as presented.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

REPORT OF CITY OFFICERS

City Manager Search

Mayor Birdsong reported, that in the search for the city manager, at the last closed meeting the search was narrowed down to four candidates. We have three confirmed interviews. The fourth candidate, we finally heard from that individual this afternoon. It wasn't clear enough, but there is still interest. I called that person back and left a message and asked for a phone call to confirm the fourth one. We are going to do the interviews over a day and one half period beginning on the 12th of April. It will be every Wednesday, the 12th, 19th, 26th and May 3rd. They will begin at noon and will go through 4:00 o'clock Thursday afternoon. The intent is to have each member of the council spend a couple of hours with each candidate. The candidates will meet with the department heads in a series of meetings. We will meet with, hopefully, the chairs of some of the boards and commissions that the city has, by invitation, and members of the community. We will not identify the candidates until they are on site, so that, the 12th, once we know that person has shown up, then we will let everyone know the name of that individual. The same with the 19th. We are trying to respect the privacy of the individuals, for their current employers, and we don't want a lot of folks making phone calls and causing some disturbances, not that anybody would; but it is just to protect the integrity of the whole process. If the person shows up, we will let the media know who they are, and whether there will be time for interviews, I don't know. At least the media will know who the candidates are. Then it would be our hope that after the last interview, mid-May, we can make a selection out of the four. Spouses will be invited and we will find something for them to do while their candidate spouse is being interviewed.

APPROPRIATIONS

Appropriation Ordinance No. 2176...1st Reading

Master Fund Appropriation Ordinance No. 2176 was read by title only by Mr. Hays

Council Minutes - April 4, 2006

Motion was made by Councilman Persinger and seconded by Councilman McCormack to pass Master Fund Appropriation Ordinance No. 2176 in the amount of \$217,352.86 on 1st Reading.

Discussion followed concerning line item classifications and maintenance and repair of equipment.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

Appropriation Ordinance No. 2176...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2176 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Werneke to pass Master Fund Appropriation Ordinance No. 2176 in the amount of \$217,352.86 on 2nd & 3rd Readings.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

CLOSED MEETING

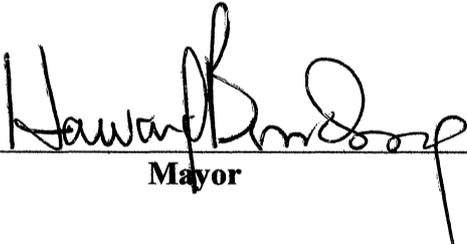
There was no need to close the meeting.

ADJOURN

There being no further business to come before the council, Mayor Birdsong adjourned the meeting at 8:00 p.m.

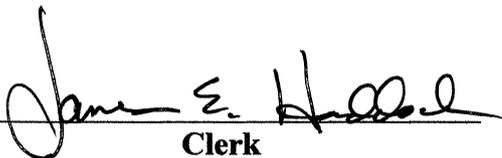
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
April 18, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Councilman Smallwood.

ROLL CALL: Mayor Birdsong presided and the following councilmen were present:

Howard Birdsong, Sherry McCormack, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: David McCracken, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of April 4, 2006

Motion was made by Councilman McCormack and seconded by Councilman Persinger to approve the minutes of the regular session of April 4, 2006

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-202...Annexing property into the corporate limits of the City of Neosho as petitioned by the Newton County Commission...2nd & 3rd Readings

Bill No. 2006-202 for Ordinance No. 245-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-202 on second and third readings.

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Authorize and approve an agreement with Allgeier, Martin & Associates, Inc. to prepare plans and specifications to construct a compost pad at the Recycling Center

City Manager McCracken recommended that the city prepare the plans and specifications in-house and if help is needed then it can be obtained at an hourly rate.

Discussion followed.

Council Minutes - April 18, 2006

Motion was made by Councilman Persinger to approve the agreement with Allgeier, Martin & Associates, Inc.

Motion died for lack of a second.

Bill No. 2006-204...Canvassing the returns of the April 4, 2006 Municipal Election and declaring the results thereof...1st Reading

Bill No. 2006-204 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-204 on first reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, Sherry McCormack - Yes.

Motion carried.

Bill No. 2006-204...Canvassing the returns of the April 4, 2006 Municipal Election and declaring the results thereof...2nd & 3rd Readings...under emergency measure

Bill No. 2006-204 for Ordinance No. 246-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Werneke and seconded by Councilman McCormack to pass Bill No. 2006-204 on second and third readings, under emergency measure.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
Sherry McCormack - Yes, Matthew Persinger - Yes.

Motion carried.

APPROPRIATIONS

Appropriation Ordinance No. 2177...1st Reading

Master Fund Appropriation Ordinance No. 2177 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2177 in the amount of \$702,482.03 on 1st Reading.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, Sherry McCormack - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Appropriation Ordinance No. 2177...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2177 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Werneke to pass Master Fund Appropriation Ordinance No. 2177 in the amount of \$702,482.03 on 2nd & 3rd Readings.

Council Minutes - April 18, 2006

Roll call vote:

Howard Birdsong - Yes, Sherry McCormack - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

AWARDS

Mayor Birdsong presented a plaque to Councilman McCormack in recognition of her service to the City of Neosho.

ADJOURN...SINE...DIE

Motion was made by Councilman McCormack and seconded by Councilman Smallwood to adjourn...sine...die.

Roll call vote:

Sherry McCormack - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEN

Oath of Office

City Clerk Haddock administered the oath of office to Councilman-elect Howard Birdsong and to Councilman-elect RoseMarie Carnes

RECONVENED SESSION - NEOSHO CITY COUNCIL

City Clerk Haddock reconvened the meeting with the following councilmen in attendance: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke.

ELECTION OF MAYOR

City Clerk Haddock called for nominations for Mayor.

Councilman Birdsong nominated Councilman Werneke.

There being no other nominations, motion was made by Councilman Birdsong and seconded by Councilman Persinger to cease nominations and elect Councilman Werneke as Mayor by acclamation.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

ELECTION OF MAYOR PRO TEMPORE

Mayor Werneke assumed the chair and called for nominations for Mayor Pro Tempore.

Councilman Persinger nominated Councilman Smallwood.

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There being no other nominations, motion was made by Councilman Birdsong and seconded by Councilman Carnes to cease nominations and elect Councilman Smallwood as Mayor Pro Tempore by acclamation.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

AMEND AGENDA

Without objection, the agenda was amended to include, under New Business, Bill No. 2006-2006 on first reading and on 2nd and 3rd readings, under emergency measure.

APPOINTMENTS & VACANCIES

Neosho Housing Authority

Mayor Werneke announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

Golf Course Committee

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning May 1, 2006. Letters of interest were received from Mr. Larry Neff, Dr. George Olive, Mr. David Ruth, and Mr. Ken Tyler.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to appoint Mr. Neff, Dr. Olive, and Mr. Tyler to the Golf Course Committee.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Park Board

Mayor Werneke announced that two vacancies exist for terms of 3 years beginning May 1, 2006. Letters of interest were received from Mr. Scott Swope.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to appoint Mr. Swope to the Park Board.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Recreation Board

Mayor Werneke announced that two vacancies exist for terms of 3 years beginning May 1, 2006. Letters of interest were received from Mr. Tony Woods and Mr. Marty Yust.

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Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to appoint Mr. Woods and Mr. Yust to the Recreation Board.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Appoint council representatives to various committees

Without objection, the following appointments were made to various committees.

Economic Development Sales Tax Committee	Councilman Smallwood
Enhanced Enterprise Zone Board	Councilman Smallwood
Harry S. Truman Coordinating Council	Mayor Werneke
Historic District Commission	Councilman Persinger
Region M Solid Waste District	Councilman Carnes
Region M Solid Waste District	Michael Pim
Senior Citizen Committee	Councilman Carnes
Traffic Commission	Councilman Persinger

Staff appointments to the Senior Citizen Committee and Traffic Commission were postponed.

VISITORS Recognized for the purpose of stating the subject of business before the council.

A. W. Lavender and Mr. Brian Harwood were recognized and added to Visitors Business and without objection, Visitors Business was forwarded on the agenda.

VISITORS BUSINESS

Mr. A. W. Lavender - Choppers for Children

Mr. Lavender addressed the council and requested that the city council rescind permission for the Choppers for Children to include the beer garden in their activities.

Mayor Werneke noted that the council does not set the agenda nor the activities of the Choppers for Children. The council only gives permission for them to hold an event on the square.

Discussion followed with members of the city council expressing their views on the Choppers for Children event and members of the audience expressing their views.

No further action was taken.

Mr. Brian Harwood - Actaris Metering Systems

Mr. Harwood addressed the council and reported on a pilot study whereby four meters within the city's system were replaced with four Actaris meters. Usage went up 130,000 gallons on average per one month period. The 4 meters alone will capture an additional 3 million gallons of water per year and result in an additional \$12,000 in revenue.

Mr. Harwood informed the council that the current plan is to keep monitoring these meters to supply as much data as possible and come back in the near future to make a presentation on changing out all of the 5,000 meters within the city's water system. This could be done within a time frame of approximately 3 months which would allow

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recouping revenues and reinvesting those revenues quicker. Radio read would also be installed which would allow the whole system to be read within two to three days and closer to the end of the month for more accurate billings.

Discussion followed with Mr. Harwood to return in the future with a presentation to include additional data, comparisons of meters, identification of meters which had been replaced, and the age of the meters.

Mr. Roy Bradford - Request for City Services

Mr. Bradford addressed the council and stated that he has need to access the city sewer system and he would be willing to barter easements for city services. He has 34 lots surveyed to develop and if they could bring the sewer line 700 feet South of Quince Road, he would give the city a 50 foot wide easement, a mile long, across that mile section. There would need to be a lift station built to lift the sewage from Royale Ranch Mobile Home Park. There is currently about 50 mobile homes. He has some property the city needs and he would be willing to trade some of that property for the lift station.

Mr. Mike Hightower informed the city that it would require 1,000 feet of 15 inch main at a cost of approximately \$22,000, materials only. Mr. Bradford would need to install sewer lines and manholes in his trailer park and a lift station which would cost approximately \$20,000 to \$25,000.

Mr. Bradford informed the council that it would take approximately one-half million dollars for him to bring the park up to city standards.

Discussion followed. No action was taken pending further study.

BIDS

Senior Center - Heating & Air Conditioning

The following information was requested for bids on the repair/replacement of the heat and air units for the Newton County Senior Center:

Unit #4	Option #1	Quote total installation of a new compressor
	Option #2	Quote installation of a new 6.25 ton outdoor unit
Unit #2		Quote to repair leaks on suction & liquid line access valves
Kitchen Unit	Option #1	Quote to replace leaking evaporator coil
	Option #2	Quote to install new 5 ton air handler
Unit #5		Quote to repair leak on distributor head on outdoor unit
Kitchen Water Heater		Quote to replace (2) fuses and verify proper operation

Mr. Gib Garrow, representing the Senior Citizen Committee, addressed the council and recommended awarding the bid to Lyerla Sheet Metal Heating & Air for Unit 4-Option 1; Unit 2; Kitchen Unit-Option 2; Unit 5; and the Kitchen Water Heater in the total amount of \$4,479.00.

**SENIOR CENTER – HEATING & AIR
BID OPENING SUMMARY**

Attached is a compilation of the bids received for heating and air repair for the Senior Center of the City of Neosho.

The bid opening was held at 10:15 a.m., April 6, 2006 in the Conference Room of City Hall. Present for the opening were Sheila Price, Renee Johnson, and Kim Messer.

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The following bids were received:

Advance Climate Control Inc. 18728 Hwy 59 Neosho, MO 64850	Bid:	Unit 4-	Option 1 - \$3625.00
			Option 2 - \$3200.00
		Unit 2 -	\$ 850.00
		Kitchen Unit	Option 1 - \$2000.00
			Option 2- \$3000.00
		Unit 5 -	\$ 750.00
	Kitchen Water Heater	\$ 300.00	

Lyerla Sheet Metal Heating & Air 6570 Impala Drive Joplin, MO 64804	Bid:	Unit 4 -	Option 1- \$2089.00
			Option 2- \$3120.00
		Unit 2 -	\$ 80.00
		Kitchen Unit	Option 1- \$ 770.00
			Option 2- \$1970.00
		Unit 5 -	\$ 250.00
	Kitchen Water Heater	\$ 90.00	

Midwest Mechanical No Response

Mike's Heating & Air No Response

Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to award the bid to Lyerla Sheet Metal Heating & Air in the total amount of \$4,479.00 with Option #1 on Unit 4 and Option #2 on the Kitchen Unit

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Senior Center - Chairs

Mr. Gib Garrow, representing the Senior Citizen Committee, addressed the council and recommended awarding the bid to Joe Harding, Inc. in the amount of \$5,352.00.

**SENIOR CENTER – CHAIRS
BID OPENING SUMMARY**

Attached is a compilation of the bids received for chairs for the Senior Center of the City of Neosho.

The bid opening was held at 10:30 a.m., April 6, 2006 in the Conference Room of City Hall. Present for the opening were Chris Lauridsen from Four State Office Products, Sheila Price, Renee Johnson, and Kim Messer.

The following bids were received:

Joe Harding, Inc. P.O. Box 1354 Joplin, MO 64802	Bid:	160 chairs per specs @ \$33.45 each
		Total \$5352.00 freight paid

Howsmon's 526 S. Virginia Joplin, MO 64801	Bid:	160 chairs per specs - \$8798.40 total
		50% deposit required

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Admiral Express
1122 Illinois Ave.
Joplin, MO 64801

Bid: 160 chairs per specs @ 189 per carton
4 chairs per carton for a total of \$7560.00

Four State Office Products
112 E. 4th Street
Carthage, Mo 64836

Bid: 160 chairs per specs:
Vir: 892559C1DD3 \$51 per chair
Vir: 89265E38G4 \$50 per chair
Totals \$8160.00 or \$8000.00

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Joe Harding, Inc. in the amount of \$5,352.00

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-205...Annexing property into the corporate limits of the City of Neosho as petitioned by the Neosho R-V School District under Zoning District R-1, First Dwelling House District...1st Reading

Bill No. 2006-205 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-205 on first reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Adopt Resolution Bill No. 2006-6...Designating signatories to municipal checking accounts

Resolution Bill No. 2006-6 for Resolution 52-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to adopt Resolution Bill No. 2006-6.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

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Authorize MoDOT Highway Safety Law Enforcement Grant Application

The following recommendation was presented for consideration.

TO: Interim City Manager David McCracken
FROM: Assistant Chief Thomas Short
DATE: April 10, 2006
SUBJECT: Traffic Grant

Again this year I recommend we apply for a Highway Safety Traffic Grant. This grant will provide funding of overtime for Officers to work accident reduction programs. This year I hope to obtain funding for a selective enforcement program to summons hazardous moving traffic violations.

We have developed an accident profile from our accident reports to establish the high accident locations and the major cause of accidents in our community.

From this information we will establish an enforcement patrol to provide a high degree of enforcement and visibility. In addition, we will provide local news media with information about this project in an effort to provide safety education to our citizens.

The grant will pay Officers over time to patrol these locations in an attempt to lower our accident rate. In addition, it allows for overtime for an Officer for each week of the grant period. This would run from October 01, 2006 through September 31, 2007. (Same as our physical year).

This grant requires no match from our department outside of our normal enforcement program. The grant will be awarded in October. I feel we have an excellent chance to receive continued funding.

Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to authorize the filing of the MoDOT Highway Safety Law Enforcement Grant application.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Authorize 2006 FEMA Fire Grant Application

The following recommendation was presented for consideration.

To: Acting City Manager Dave McCracken
From: Fire Chief Hickman
Date: April 13, 2006
Re: 2006 FEMA Fire Grant

The Neosho Fire Department has made application for funding from the FEMA Assistance to Firefighters Grant Program. The Federal Government has set aside \$513 million down from \$650 million from last year's program. This year departments are limited to making application in only one of two areas. Areas available were: Operations and Safety and Firefighting Vehicle Acquisition Program.

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This year we again have chosen the area of "Operations and Safety" for our grant application. We proposed a joint program between the City of Neosho and the Neosho Area Fire Protection District to enhance our firefighter safety and become NFPA compliant. Our proposal is to replace and standardize all Self Contained Breathing Apparatus used by both the City and District and to purchase Thermal Imaging Cameras.

Proposal was to:

1. Purchase 46 new units with integrated Personal Alert Safety System (PASS) alarms and 46 extra air cylinders to replace all our SCBA and air cylinders, some of which are 25 to 30 years old. To also purchase brackets to mount and cases to store SCBA on apparatus.
2. Purchase 40 individual air masks, which will allow each individual to have their own mask, to meet health and safety standards.
3. Purchase two (2) Thermal Imaging Cameras to be used on City and District responses.
4. Purchase Fit Testing Equipment to be use properly fit facemask to individuals.
5. Purchase Rapid Intervention Air Supply Equipment to be used for rescue and emergency operations where firefighters will not have to share breathing air supply.

Proposal total amount \$252,140

Under the grant guidelines our departments, which provide services for a population of less than 20,000, are expected to cover 5% of the total grant funds. The 5% match would equal \$12,607.00. This would amount to \$6,303.50 for each the City and the Fire District. We feel that the City's portion of funding can be accomplished through funds derived from the departmental budget and future savings in equipment repair and maintenance cost.

Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the grant application.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Bill No. 2006-206...Establishing a new tax rate of 2.20% as required by Section 92.086 RSMo as amended 2005, based on rate information received from The Missouri Director of Revenue and as reviewed by The Missouri State Auditor...1st Reading

Bill No. 2006-206 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-206 on first reading.

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Mr. Hays informed the council that correspondence was received from the Department of Revenue on the amount of the tax rate on telecommunications. The tax mandated by the State of Missouri, for the City of Neosho in the amount of 2.200%, was calculated based on a formula provided by the State of Missouri. In order to implement the tax, the ordinance establishing the rate must be provided to the State of Missouri no later than May 15, 2006. The ordinance does provide for returning to the original five percent tax rate should the courts rule against all the actions that have been taken.

Mr. Hays recommended adopting the ordinance at this time.

Discussion followed.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Bill No. 2006-206...Establishing a new tax rate of 2.20% as required by Section 92.086 RSMo as amended 2005, based on rate information received from The Missouri Director of Revenue and as reviewed by The Missouri State Auditor...2nd & 3rd Readings, under emergency measure

Bill No. 2006-206 for Ordinance No. 247-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-206 on second and third readings, under emergency measure.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

REPORT OF CITY OFFICERS

Thomas Hart Benton Festival

Councilman Birdsong noted that the Thomas Hart Benton Festival will be held this weekend with activities at the Neosho Municipal Auditorium and Neosho City Hall. Mr. Roark is inviting friends and family and city employees to the luncheon as guests of the Newton County Tourism Council at the auditorium. Many activities are planned.

Auditorium Renovation Committee

Mayor Werneke reported that the Auditorium Renovation Committee has been meeting and visiting with the architect. Any information or suggestions will be welcomed by the committee.

CLOSED MEETING

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to close the meeting pursuant to RSMo. Sec. 610.021(2) Leasing, purchase or sale of real estate

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Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Mayor Werneke closed the meeting at 9:05 p.m.

RECONVENE

The meeting reconvened in open session at 9:45 p.m.

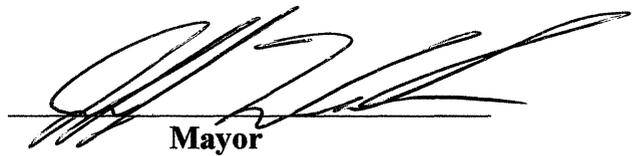
Mayor Werneke announced that no vote was taken.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 9:45 p.m.

APPROVED:

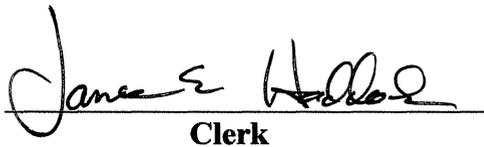
NEOSHO CITY COUNCIL



Handwritten signature of the Mayor, consisting of stylized initials and a surname, written over a horizontal line.

Mayor

ATTEST:



Handwritten signature of James E. Hall, written over a horizontal line.

Clerk

MINUTES
NEOSHO CITY COUNCIL
May 2, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Councilman Smallwood

ROLL CALL: Mayor Werneke presided and the following councilmen were present:

Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: David McCracken, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of April 18, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of April 18, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of April 18, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the closed session of April 18, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Abstain,
Jeff Werneke - Yes, Howard Birdsong - Abstain.

Motion carried.

PROCLAMATIONS

Mayor Werneke issued the following proclamation.

Employer of the Month

Whereas, the Neosho City Council wishes to recognize the employers of our community;
and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to
the area's growth and development and their support of our economy; and

Whereas, the City of Neosho wishes to acknowledge Twin Oaks Custom Cabinets
contribution to this cause; and

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Whereas, Twin Oaks Custom Cabinets began its operations in Neosho in 1986 and has been a part of Neosho since; and

Whereas, and because, Twin Oaks Custom Cabinets has continued since that time to provide the citizens of Neosho and the surrounding area with quality custom workmanship in residential and commercial cabinetry construction.

Now, and therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim Twin Oaks Custom Cabinets as Neosho's Employer of the Month for the duration of May, 2006. We wish to recognize them for their commitment to quality and their growth in the community

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 2nd day of May, 2006.

/s/Jeff Werneke, Mayor

Attest:/s/James E. Haddock, Clerk

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Werneke announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

Park Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning May 1, 2006

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. Andy Harmon, Mr. John McCormack, and Mr. Carol Dale were recognized and placed on the agenda under Visitor's Business.

BIDS

Fire Department - Photo ID System

The following recommendation was presented for consideration.

To: Acting City Manager Dave McCracken
From: Fire Chief Greg Hickman
Reference: Equipment Purchase

We would like to purchase a Polaroid ID Card Maker II System to be used for the Neosho Homeland Security Response Team. The purchase of the ID Card System is allowed for in our equipment request from SEMA.

We had requested \$8,000 for the purchase of this equipment from our 2005 funds. Daymark Solutions Inc. of Lenexa, Kansas has given us a quote in the amount of \$6,944.50 for their system.

Newton County Emergency Management bid their system last year sending out three (3) bids and received only one (1) back. This company is the one, which they purchased their card system from. We contacted the company and they were willing to honor the same

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bid given Newton County. List of materials and equipment we wish to purchase is attached to this request. This system is a more complete (all in one) system that will allow us to upgrade in the future should we need to.

This purchase can be used to make identification cards for all City Employees. The equipment can produce ID cards that use magnetic strips that can be used for different functions such as; security locks, fueling stations, and time clocks.

This equipment is also compatible equipment operated by the Newton County Ambulance District. This will allow for sharing of information between other emergency services, provide back-up system for other systems, and maintain continuity of equipment within the county.

Respectfully
Chief Hickman

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to approve the bid as presented.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Parks Department - Lampo Building/General Const. & Renovation

The following recommendation was presented for consideration.

To: Honorable Mayor, Jeff Werneke
Councilpersons
From: Michael Pim
Re: General Contracting of the Lampo Community Center

We went out for bid on general contracting of the Lampo Community Center. The bids were sent to the following companies.

1. Branco Enterprises
2. Better Built Construction
3. Chucks Construction
4. Denefrio Building
5. VanDorn Construction

The bid returned by Chucks Construction Company was for \$69,000.00

1. Branco chose not to bid because, too busy at the time to bid.
2. Better Built Construction chose not to bid because, they thought the bid opening was May the 8th not the 1st.
3. Denefrio Building chose not to bid because, was unable to make contact with them

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4. VanDorn Construction chose not to bid because, to busy at the time to bid .

I recommend we accept the bid from Chucks Construction Company for \$69000.00. He has worked for the City in the past and stated he could begin work immediately.

Michael Pim, Building Inspector

**LAMPO BUILDING – GENERAL CONSTRUCTION
BID OPENING SUMMARY**

Attached is a compilation of the bids received for general construction for the Lampo building of the City of Neosho.

The bid opening was held at 10:00 a.m., May 1, 2006 in the Conference Room of City Hall. Present for the opening were Chuck Nelson with Chuck's Construction, Alan Smith, Michael Pim, Carol Peterson, and Kim Messer.

The following bids were received:

Chuck's Construction 613 S. College Neosho, MO 64850	Bid: Demolition and construction per specs. See attached for details Total: \$69,000
Better Built Construction	No response
Branco	No response
Denefrio Building	No response
VanDorn Construction	No response

Lampo Building Bid Specifications

1. Outbuilding roof replacement. The old roofing, decking, rafters, and plate will be removed. A new ACQ treated sill plate will be installed with ½" anchor bolts 4' O.C., with bolts within 1' of each corner. The new rafters will duplicate the originals, but will be on 16" centers, attached to the plate with 18 gauge hurricane type ties(Simpson H3 or similar.)

Decking will be 5/8" OSB with fiberboard sheathing. Roofing material will be a single adhered membrane of .045" EPDM. Galvanized flashing and drip edge will be used with galvanized counter flashing let into a wall groove minimum 1/2" deep. The groove will be sealed with Sonnebome NP1 polyurethane sealant or similar.

2. The concrete floor will be removed to existing cut lines towards the insides of the building, and as close as possible to the exterior walls so that the new slab will be 4" thick or more. The new slab will be anchored to the existing concrete with 1/2" rebar pins set 3-4" deep 4' O.C. or less around the perimeter of the opening, New concrete will be a 3000# mix, reinforced with 6" X 6" welded wire fabric, tied to the rebar pins with tie wire.
3. The existing windows will be removed in such a way as to leave the outside 'fin' in place. This fin will be covered with a grooved 2" X 6" treated with ACQ. The outside edge will be routed to replicate the coping over the existing windows. Nailers or other means of attachment for the new windows will be attached to this.

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4. The front window openings will be reframed with treated framing members where wood is in contact with masonry. The framing will be on 16" centers with 7/16" sheathing. Overlapping 15# felt will be used as a vapor barrier. The log siding will be attached per manufacturers instructions.
5. Interior walls constructed with treated framing members where wood is in contact with masonry. The bottom plate will be anchored to the floor with powder actuated nails driven into concrete 1" deep on 4' centers. However, if the existing concrete will not accept or hold these nails, 3/8" bolts on 4' centers will be used instead. Sheetrock will have an orange peel finish.
6. Fascia will receive a primer coat and two finish coats on both sides. Waterproofing material will be sprayed on exterior masonry surfaces per manufacturer's instructions.
7. The two chimney holes will be reframed and decked with similar to existing materials. The two holes will be roofed with a single adhered membrane of .045"EPDM
8. Loose fill fiberglass insulation will be installed approximately 8" deep to have an R-19 value over the existing ceiling. Over the stage area, paper faced R-19 fiberglass rolls will be installed with the flanges stapled over the edge of the framing.
9. Existing holes (approximately 16" and 4" dia. on east side) will be filled with mortar and rock to match existing rock as closely as possible. The metal sleeves will not be removed.
10. Suspended ceiling in bathrooms will be installed at 12' height.
11. Unforeseen or unavoidable conditions will result in extra charges. In addition, change orders will result in extra charges.

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to award the bid in the amount of \$69,000 to Chuck's Construction.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Parks Department - Lampo Building/Plumbing

The following recommendation was presented for consideration.

To: Honorable Mayor, Jeff Werneke and Councilpersons
From: Michael Pim
Re: Plumbing Work at Lampo Community Center.

We went out for bid for plumbing work at the Lampo Community Center.

The bids were sent to the following companies.

1. Bowler Plumbing (Neosho)

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2. Richards Plumbing (Newtonia)
3. Barnett Plumbing (Neosho)

No Bids were returned.

The Bidding Companies were contacted and they all stated they did not bid because of the size of the job (Too small) and they were all busy.

I recommend we bid again at a later date

Michael Pim, Building Inspector

Discussion followed. No action was taken pending re-bidding of the plumbing work.

Recreation Department - Air Conditioning

The following recommendation was presented for consideration.

To: Honorable Mayor, Jeff Werneke
Councilpersons
From: Michael Pim
Re: Replacement of the heating and air conditioning unit at the Recreation Center gymnasium.

We went out for bid for the replacement of (1) 15 ton heating and air conditioning unit for the gymnasium at the Recreation Center. Due to the age of the existing unit I feel it would be the best option to replace the unit rather than try to repair the unit.

The bids were sent to the following companies.

1. Crane's Heating and Air
2. Advance Climate Control Inc.
3. Lyerla Sheet Metal
4. Mikes Heating and Air Conditioning
5. K&S Sheet Metal

Bids were received from the following companies.

1. Mikes Heating and Air Conditioning for \$9,500.00
2. Lyerla Sheet Metal for \$9,940.00
3. Advance Climate Control for \$11,300.00
4. Cranes Heating and Air did not bid because, it would be August before they could take delivery of the unit from the factory, and they felt like we need the unit before then.
5. K&S Sheet Metal did not bid because, not interested at this time.

We recommend accepting the bid from Mikes Heating and Air Conditioning Company for \$9,500.00.

Michael Pim, Building Inspector

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We went out for bid on slurry seal. The bids were sent out to Beachner Construction, Clarkson Construction, and Vance Brothers.

The bid returned by Beachner Construction was \$1.77 sq yard and the bid returned by Vance Brother was \$1.39 sq yard. Vance Brothers included in their bid a regulation from the Division of Labor Standards regarding the Missouri Prevailing Wage Law. According to this regulation, prevailing wage would not pertain to this job.

I recommend that we go with Vance Brothers.

Mike Hightower
Interim Director

**STREET DEPARTMENT – SLURRY SEAL
BID OPENING SUMMARY**

Attached is a compilation of the bids received for slurry seal for the Street Dept. of the City of Neosho.

The bid opening was held at 10:30 a.m., April 26, 2006 in the Conference Room of City Hall. Present for the opening were John Thomas and Andy Beachner from Beachner Construction, Carla Cummings and Derik Jones from Public Works, and Kim Messer.

The following bids were received:

Vance Bros. 5201 Brighton Kansas City, MO 64130	Bid: Slurry seal prevailing wage 32,237 sq. yds @ \$1.52 = \$49,000.24. Non-prevailing wage 32,237 sq. yds. @ 1.39 = \$44,809.43
---	---

Beachner Construction P.O. Box 128 St. Paul, KS 66771	Bid: Slurry seal prevailing wage \$1.77/sq. yd
---	--

Clarkson	No response
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Mr. Hightower informed the council that approximately \$100,000 was budgeted for slurry seal of streets, but nothing was budgeted for overlays. At this time, he would recommend that the council consider using the remaining funds for overlay of streets rather than slurry seal. A recommendation will be presented at the next council meeting.

Councilman Birdsong recommended that the department take into consideration the overlay of the parking lot at the recreation center and swimming pool as well as McCrary Street.

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to award the bid to Vance Brothers for slurry seal in the amount of \$1.39 per square yard, not to exceed \$45,000.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

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Street Department - Striping

The following recommendation was presented for consideration.

4/26/06

TO: Honorable Mayor, Jeff Werneke
Councilpersons
FROM: Mike Hightower
RE: Striping of streets

We have received quotes for the striping of Clemons Dr., Industrial Rd, and South St. They are as follows:

1. Bishop Construction \$2,816.75
2. Time Striping, Inc. \$5,542.10

I recommend going with Bishop Construction for the amount of \$2,816.75.

Sincerely
Mike Hightower
Interim Director

**STREET DEPARTMENT – STRIPING
BID OPENING SUMMARY**

Attached is a compilation of the bids received for striping for the Street Dept. of the City of Neosho.

The bid opening was held at 10:00 a.m., April 26, 2006 in the Conference Room of City Hall. Present for the opening were Carla Cummings, Derik Jones, and Kim Messer.

The following bids were received:

Time Striping P.O. Box 1236 Van Buren, AR 72957	Bid: 15,735 L/F of yellow 4" paint striping 100 L/F of white 4" paint striping 110 L/F of 24" stop bar 3 turn arrows & 4 combo arrows Lump sum of \$5,542.10
---	--

Bishops Const. Co. Inc. P.O. Box 151 Marionville, MO 65705	Bid: Clemmons Drive - \$366.50 Industrial Drive - \$2200.25 South Street - \$250.00 Total: \$2,816.75
--	--

Blevin's Striping	No response
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Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to award the bid to Bishop Construction in the amount of \$2,816.75.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

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UNFINISHED BUSINESS

Bill No. 2006-205...Annexing property into the corporate limits of the City of Neosho as petitioned by the Neosho R-V School District under Zoning District R-1, First Dwelling House District...2nd & 3rd Readings

Bill No. 2006-205 for Ordinance No. 248-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-205 on second and third readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-207...Declaring certain personal property as surplus and setting forth the method for disposing of same...1st Reading

Bill No. 2006-207 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-207 on first reading.

Discussion followed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Consideration of Contract for Professional Services between the City of Neosho and Gross and Associates, Inc.

Mr. Ray Stipp addressed the council on behalf of the Economic Development Sales Tax Committee and recommended that the council enter into an agreement with Gross and Associates, Inc. for professional services. Gross and Associates was involved in the forming of the TIF District and has worked with the city in that regard for several years. We wish to extend that arrangement whereby several items can be addressed. There are several properties desirous of coming into the TIF District which need to be handled; the TIF District Maps need updating; various reports need to be filed with the State of Missouri concerning the TIF District and the collection of TIF revenues; training of city's staff to prepare and file those reports with the State of Missouri in the future; and in overall management of the existing TIF District. This work should be completed by the end of August or shortly thereafter.

Discussion followed.

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Motion was made by Councilman Birdsong and seconded by Councilman Carnes to approve the contract as presented for \$10,000.00.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Consideration of Agreement for Uniform Rental Service between the City of Neosho and Cintas

The following recommendation was presented for consideration.

To: Honorable Mayor Werneke
Councilpersons
Interim City Manager Dave McCracken
From: Mike Hightower
Re: Cintas uniform contract
Date: April 28, 2006

I would like the Council to consider extending the Water Filtration and Wastewater plant uniform contract for one year. This is due to changing the style and color of the uniform shirts. I believe this new shirt will be cooler and more desirable to wear and should improve the employee's appearance.

Discussion followed.

No action was taken due to the absence of any motion.

REPORT OF CITY OFFICERS

Neosho Park Board-Celebrate Neosho

Mr. Jon Harden addressed the council and reported on the progress of the plans for Celebrate Neosho, Friday June 30 through Sunday, July 2. Softball tournaments, car and bike shows, and other activities are planned. There will be three bands playing on Friday. Activities Saturday include bands, the Colgate County Showdown, the fireworks display and Live Wire. Festivities conclude Sunday with a BBQ Chicken Feed and other activities and entertainment. Sponsors have committed to funding all activities and it is estimated that there may be excess funds remaining to carry forward to the next year. A proposed contract for the rental agreement for the portable stage will be presented, in the future, for council consideration. Discussion followed.

VISITORS BUSINESS

Mr. Andy Harmon-Neosho Hotel/Motel Group

Mr. Harmon, representing the Neosho Hotel/Motel Group, addressed the council and requested that there be put on the election ballot for August 8, 2006, a vote of the citizens of Neosho for a "bed tax" for the City.

This "bed tax" would go for such expenditures as billboard signage located on our main travel arteries (interstate and state ingresses leading into the City of Neosho). These monies would also be expended on graphics and printing for the billboards, design and printing cost for tourism/marketing/promotional brochures for our city and airwaves media promotion cost for advertising our city. This would benefit not only the motels in Neosho, but also the restaurants and other businesses in our city and surrounding area.

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Discussion followed.

City Attorney Hays was asked to prepare a bill for consideration at the next council meeting for putting the issue on the ballot at the August election.

Mr. John McCormack-Neosho Comprehensive Plan

Mr. McCormack addressed the council and inquired as to the status of the Comprehensive Plan.

Discussion followed.

Councilman Smallwood volunteered to follow up and see that action is initiated to complete the process in the adoption of a comprehensive plan.

Mr. Carol Dale-Skate Park

Mr. Carol Dale addressed the council and reported that the Tony Hawk Foundation awarded the skate park project a grant in the amount of \$5,000. This, in addition to other donations, will allow a concrete pad to be poured for the next phase of the project.

Mr. Dale requested additional funds from the City of Neosho which would allow him to finish the second phase of the skate park by the 4th of July. Approximately \$9,000 would be needed.

Discussion followed.

It was noted that recreation department funds were diverted by the Recreation Board to the skate park project and that was the city's commitment, \$22,000 or \$22,5000. Those monies were transferred to the skate park project. With the donation from the Tony Hawk Foundation, \$6,887.00 is available and the city will solicit bids for the concrete pad and will consider those bids at the next council meeting.

APPROPRIATIONS

Appropriation Ordinance No. 2178...1st Reading

Master Fund Appropriation Ordinance No. 2178 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2178 in the amount of \$305,533.00 on 1st Reading.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Appropriation Ordinance No. 2178...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2178 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Carnes to pass Master Fund Appropriation Ordinance No. 2178 in the amount of \$305,533.00 on 2nd & 3rd Readings.

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Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CLOSED MEETING

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to close the meeting pursuant to RSMo. Sec. 610.021(2) Leasing, purchase or sale of real estate.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Mayor Werneke closed the meeting at 8:45 p.m.

RECONVENE

The meeting reconvened in open session at 9:55 p.m.

Mayor Werneke announced that no vote was taken.

Schedule a Special Session

A special session was scheduled for 5:30 p.m. on Thursday, May 11, 2006. Following an informal work session to review the budget for the fiscal year, the council will also enter into a closed session pursuant to RSMo. Sec. 610.021(1) Legal actions, causes of action or litigation... and/or RSMo. Sec. 610.021(2) Leasing, purchase or sale of real estate... and/or RSMo. Sec. 610.021(3) ...Hiring, firing, disciplining or promoting an employee of a public governmental body.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 10:00 p.m.

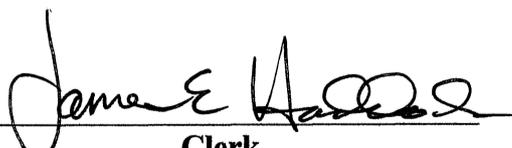
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

**MINUTES-SPECIAL SESSION
NEOSHO CITY COUNCIL
May 11, 2006 - 5:30 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO**

A quorum being present, Mayor Werneke called the meeting to order at 5:45 p.m.

OPENING PRAYER: Councilman Birdsong

ROLL CALL: The following councilmen were present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: David McCracken, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

NEW BUSINESS

Consider Contract Agreement between the City of Neosho and Chucks Construction for general construction and renovation of the Lampo building.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the contract agreement between the City of Neosho and Chucks Construction. Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes. Motion carried.

INFORMAL WORK SESSION

Review 2005-2006 Fiscal Year Budget

The council reviewed the fiscal year budget revenues and expenditures.

CLOSED SESSION

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to close the meeting pursuant to RSMo. Sec. 610.021(2) and 610.021(3). Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes. Motion carried.

Mayor Werneke closed the meeting at 8:37 p.m.

RECONVENE: The meeting reconvened in open session at 10:35 p.m. and Mayor Werneke announced that a vote was taken. The minutes of the closed session will be released within 72 hours of the action taken.

ADJOURN: Mayor Werneke adjourned the meeting at 10:35 p.m.

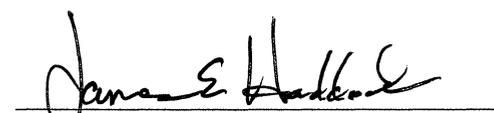
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
May 16, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER: Mayor Werneke

ROLL CALL: Mayor Werneke presided and the following councilmen were present:

Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: David McCracken, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of May 2, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of May 2, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of May 2, 2006

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to approve the minutes of the closed session of May 2, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Werneke announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

Park Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning May 1, 2006

Without objection, the appointment of a City Manager was added to the agenda.

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City Manager

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to hire Mr. Jan Blase as City Manager, with a full time effective date of June 5, 2006.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Discussion followed with council members commenting on the selection of Mr. Blase.

Mayor Werneke announced that the formal effective date, full time, will be June 5. Mr. Blase will be filling in on a part time basis approximately three days a week over the next few weeks.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. Richard Reid was recognized and placed on the agenda under Visitors Business

BIDS

Park Department - Skate Park Concrete Pad

The following recommendation was presented for consideration.

TO: Honorable Mayor, Jeff Werneke
Councilpersons

FROM: Mike Hightower

RE: Concrete for skate park

We went out for bid on the concrete for the skate park. The bids were sent out to Neosho Concrete and N & M Concrete.

The bids were as follows:

1. Neosho Concrete Products - \$63.00/cu yard
Approximately 43.5 cu yards @ \$63.00 = \$2,740.50
2. N & M Concrete - \$75.00/cu yard. Approximately 43.5 cu yards @ \$75.00
Plus \$15 fuel surcharge per load and \$50 short order charge
Estimate 7 loads @ \$15 and 1 short order @ \$50 = \$3,417.50

I recommend that we go with Neosho Concrete in the amount of \$2,740.50.

Mike Hightower
Interim Director

**SKATE PARK – CONCRETE
BID OPENING SUMMARY**

Attached is a compilation of the bids received for concrete for the Skate Park of the City of Neosho.

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The bid opening was held at 10:30 a.m., May 10, 2006 in the Conference Room of City Hall. Present for the opening were Stacy Barnes, Jeff Barrett, Tom Workman, and Kim Messer.

The following bids were received:

Neosho Concrete Products P.O. Box 179 Neosho, MO 64850	Bid: 43.5 cu. yds @ \$63/cu. yd = \$2,740.50
N & M Concrete P.O. box 971 Joplin, MO 64802	Bid: 43.5 cu. yds @ \$75/cu. yd plus \$15 fuel surcharge per load and \$50 short order charge estimate 7 loads @\$15 and 1 short order @ \$50 Estimated total: \$3,417.50

Mr. Hightower informed the council that the labor is estimated at approximately \$1,500.00 and those bids will be opened in the next week. Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Carnes to award the bid to Neosho Concrete Products in the amount of \$2,740.50.

Motion was amended by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Neosho Concrete Products in the amount of \$63.00 per cubic yard, not to exceed \$3,500.00 total.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried as amended.

Park Department - Lampo Building Electrical Upgrade

The following recommendation was presented for consideration.

TO: Honorable Mayor, Jeff Werneke
Councilpersons
FROM: Michael Pim
RE: Lampo Building – Electrical Bid

We went out for bid on all the electrical needs for the remodel phase for the Lampo Building. Invitations to bid were sent to, A.C.C.I., Crane's Electric Heating & Air, TAZ Electric and Davie's Electric.

The following bids were received and opened on May 4, 2006 at 10:00 a.m. at City Hall.

A.C.C.I.	Bid: Electrical upgrade per specs. - \$14,200.00
Crane's Electric Heat & Air Bid:	Electrical upgrade per specs. - \$17,572.27
TAZ Electric	Bid: Electrical upgrade per specs. - \$8,857.20
Davie's Electric	Bid: Electrical upgrade per specs. – No Response

I would like to recommend that the bid from TAZ Electric for the sum of \$8,857.20 be used for this project.

Michael Pim, Building Inspector

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**LAMPO BUILDING – ELECTRICAL
BID OPENING SUMMARY**

Attached is a compilation of the bids received for electric upgrade to the Lampo Building of the City of Neosho.

The bid opening was held at 10:00 a.m., May 4, 2006 in the Lobby of City Hall. Present for the opening were Carol Peterson, Alan Smith, and Debbie Lazure.

The following bids were received:

Advance Climate Control 18728 Highway 59 Neosho, MO 64850	Bid	Electrical upgrade to Lampo Building per specs (see attached for details) - \$14,200.00
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Crane's Electric Heating & Air 220 W. Brook St. Neosho, Mo 64850	Bid:	Electrical upgrade to Lampo Building per specs (see attached for details) - \$17,572.27
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TAZ Electric 250 College St. Neosho, MO 64850	Bid:	Electrical upgrade to Lamp Building per specs (see attached for details) - \$8,857.20
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Davie's Electric Inc.	No response
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Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to award the bid to TAZ Electric in the amount of \$8,857.20

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Park Department - Celebrate Neosho Fireworks

The following recommendation was presented for consideration.

TO: Honorable Mayor, Jeff Werneke
Councilpersons
FROM: Mike Hightower
RE: Fireworks

We went out for bid on the fireworks for the upcoming Celebrate Neosho. The bids were sent out to Piedmont Fireworks, A.M. Pyrotechnics, LLC., and J & M Displays, Inc.

The bids that were returned were as follows:

A.M. Pyrotechnics, LLC	Show #1 \$7522.50 includes electronic display, elaborate shells, and will fire display (less shells, more show time)
	Show #2 \$7517.15 includes electronic display, economy shells, and will fire display (more shells, less show time)
J & M Displays, Inc.	\$7500.00 Fireworks display 2423 shell count and will not fire display

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I recommend going with A.M. Pyrotechnics in the amount of \$7522.50.

Mike Hightower
Interim Director

**PUBLIC WORKS – FIREWORKS
BID OPENING SUMMARY**

Attached is a compilation of the bids received for fireworks for the Public Works Department of the City of Neosho.

The bid opening was held at 10:00 a.m., May 10, 2006 in the Conference Room of City Hall. Present for the opening were Stacy Barnes, Jeff Barrett, Tom Workman, and Kim Messer.

The following bids were received:

A.M. Pyrotechnics, LLC 5412 S. 244 th Road Buffalo, MO 65622	Bid: Show #1 electronic display, elaborate shells will fire less shells, more showtime=\$7522.50 Show #2 electronic display, economy shells will fire more shells, less show time=\$7517.15 Show #2 for City to fire with no electronics deduct \$627.75.
J & M Displays, Inc. 18064 170 th Avenue Yarmouth, IA 52660	Bid: Fireworks display 2423 shell count, will not fire Total: \$7500.00

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to award the bid to A.M. Pyrotechnics in the amount of \$7,522.50.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-207...Declaring certain personal property as surplus and setting forth the method for disposing of same...2nd & 3rd Readings

Bill No. 2006-207 for Ordinance No. 249-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-207 on second and third readings.

Discussion followed.

The council was informed that the proceeds from the sale of the scrap metal would go to fund the fireworks display and renovation of the Lampo building.

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Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CORRESPONDENCE

Tony Hawk Foundation

Mayor Werneke reported that the council has received correspondence from Cheri Brazelton that the City of Neosho has received the check from the Tony Hawk Foundation in the amount of \$5,000.00 for the Neosho Skatepark.

NEW BUSINESS

Bill No. 2006-208...Calling for an election to impose an Occupational License Tax...1st Reading

Bill No. 2006-208 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-208 on first reading.

In response to a question from Councilman Carnes, City Attorney Hays explained how the funds were to be used as described under Section 2 of the bill.

Councilman Carnes suggested setting the tax to be set at two percent instead of the proposed four percent.

Mr. Hays noted that the state statutes do allow up to five percent.

Discussion followed.

Councilman Birdsong called for the question.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - No.

Motion carried.

Bill No. 2006-208...Calling for an election to impose an Occupational License Tax...2nd & 3rd Readings, under emergency measure

Bill No. 2006-208 for Ordinance No. 250-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-208 on second and third readings, under emergency measure.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - No, Matthew Persinger - Yes.

Motion carried.

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Bill No. 2006-209...Prohibiting the provisions of Section 144.049 Revised Statutes of Missouri from exempting sales of certain clothing, personal computers, certain computer software and school supplies that occur within the boundaries of said City of Neosho, during August 2006 from local sales tax...1st Reading

Bill No. 2006-209 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-209 on first reading.

Councilman Carnes inquired as to the amount of the sales tax and it was noted that those figures were not available.

Discussion followed.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - No, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-209...Prohibiting the provisions of Section 144.049 Revised Statutes of Missouri from exempting sales of certain clothing, personal computers, certain computer software and school supplies that occur within the boundaries of said City of Neosho, during August 2006 from local sales tax...2nd & 3rd Readings under emergency measure

Bill No. 2006-209 for Ordinance No. 251-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-209 on second and third readings, under emergency measure.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - No, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Presentation of 2006 Comprehensive Plan as adopted by the Neosho Planning and Zoning Commission.

Ms. Janet Penn, Chairman of the Planning and Zoning Commission, presented the City of Neosho's 2006 Comprehensive Plan as adopted by the Planning and Zoning Commission the 8th of May, 2006.

Discussion followed.

Ms. Penn informed the council that the Commission would be meeting on May 22, 2006 at which time they would hold an informal work session to discuss implementation of the plan. The public is invited to attend and participate in the work session.

REPORT OF CITY OFFICERS

There were no reports.

VISITORS BUSINESS

Lionel Smiles - Emancipation Day Celebration

Mr. Smiles presented the following request.

City Manager
Neosho, Missouri 64850

RE: Emancipation Day Celebration

The 2006 Emancipation Day Celebration committee would like to obtain permission from the Neosho City Council to host our 5th Annual Emancipation Day Celebration at Scenic Drive Park.

Your staff, in the past, has been most helpful in helping make this annual event a success. Slated to begin August 4th, 2006, the two (2) day event will start with a dedication ceremony. Saturday starts with fun for the entire family, including gospel, blues and jazz music, exhibits from area non-profit groups, and demonstrations from area residents.

We would like the Mayor to proclaim the first weekend of August: **Emancipation Weekend** in recognition of the proclamation freeing slaves in the Confederacy.

We will be honoring the eldest African-American individuals in our community and will make tribute to local businessmen that have befriended the African American advancement in Newton County.

We cordially invite members of the Council to be a part of this weekend marking the 141st year of freedom.

It is our expressed desire to have fireworks during the festivities as in years past. We will discuss this matter with the appropriate Law Officials, and will work in cooperation with your office.

Again, thank you in advance for your cooperation.

Sincerely,
Ida Smiles, Lionel Smiles, Starr Terry
Event Organizers

It was the consensus of the council to approve the request.

Mr. Richard Reid

Mr. Reid presented the following requests.

1. Request that the Neosho City Council establish two dates certain so proponents and opponents of the Choppers 4 Children "beer garden" can prepare their presentations to the council.
2. Request that there be two different dates for discussing the "beer garden" situation; one date for the proponents and one date for the opponents.
3. Request that a coin toss determine which group presents first and which will be second.

Thank you for giving your response to these requests tonight; if possible.

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Mayor Werneke informed Mr. Reid that he has been considering setting up a meeting with the two groups at one time at one location, however the date has not been determined at this time.

APPROPRIATIONS

Appropriation Ordinance No. 2179...1st Reading

Master Fund Appropriation Ordinance No. 2179 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2179 in the amount of \$489,780.73 on 1st Reading.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Appropriation Ordinance No. 2179...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2179 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2179 in the amount of \$489,780.73 on 2nd & 3rd Readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 8:20 p.m.

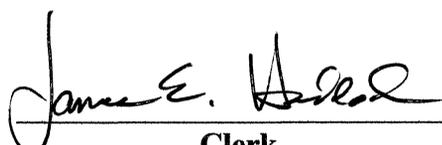
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
June 6, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Werneke called the meeting to order at 7:05 p.m.

OPENING PRAYER AND PLEDGE OF ALLEGIANCE

Councilman Smallwood gave the opening prayer followed by the Pledge of Allegiance led by Mayor Werneke.

ROLL CALL: The following councilmen were present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Special Session of May 11, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the Special Session of May 11, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of May 11, 2006

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to approve the minutes of the Closed Session of May 11, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Regular Session of May 16, 2006

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to approve the minutes of the Regular Session of May 16, 2006

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

PROCLAMATIONS

Employer of the Month - Communications and Electrical Supplies, Inc.

Mayor Werneke issued the following proclamation.

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Communications and Electrical Supplies, Inc. began its operations in Neosho in 1991 and has been a part of Neosho since; and

Whereas, Communications and Electrical Supplies, Inc. has continued since that time to be a national distributor of inside and outside plant telecommunications products services, increasing the number of employees to more than 15 locally, and their facility from 2,000 sq. ft. to the present 15,000 sq. ft.;

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim Communications and Electrical Supplies, Inc. as Neosho's Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 6th day of June, 2006.

/s/Jeff Werneke, Mayor

Attest: /s/James E. Haddock, Clerk

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Werneke announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

Park Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning May 1, 2006

Neosho-Newton County Library Board

Mayor Werneke announced that one vacancy will exist for a term of 3 years beginning July 1, 2006 due to the expiring term of Mr. Steven Douglas.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Street Department – Jefferson Street Overlay

The following recommendation was presented for consideration.

Council Minutes - June 6, 2006

TO: Honorable Mayor, Jeff Werneke
Councilpersons
FROM: Mike Hightower
RE: Jefferson St overlay

We recently went out for bid on the Jefferson Street overlay. The bids are as follows:

1. Swift Construction - \$39,778.92
2. APAC–Surface asphalt \$43,860.00, Cold Milling \$12,596.50, Total \$ 56,456.50
3. Blevins - \$37,744.00

* There will be at least 350 ft of additional milling not included in their bid. This will increase the bid by approximately \$2,450.00. The total cost would be \$40,194.00.

I recommend that we go with Swift Construction.

Mike Hightower
Interim Director

**PUBLIC WORKS – JEFFERSON ST. OVERLAY
BID OPENING SUMMARY**

Attached is a compilation of the bids received for Jefferson St. Overlay for the Public Works Department of the City of Neosho.

The bid opening was held at 10:00 a.m., May 31, 2006 in the Conference Room of City Hall. Present for the opening were Collin Swift with Swift Construction, Cody Ritter with APAC, Adam Boswell with Blevins Asphalt, Mike Hightower, Carla Cummings, and Kim Messer.

The following bids were received:

Blevin’s Asphalt Const. Co, Inc. P.O. Box 230 Mount Vernon, MO 65712	Bid: Finish & place BP-1 hot mix asphalt, furnish & apply SS-1 tack oil, furnish roto-milling (incl clean-up and haul off) Total \$37,744- Price includes milling of Jefferson St. & Coler, Addtl. milling is \$7.00/lineal foot.
APAC-Missouri, Inc. Springfield Branch P.O. Box 1187 Springfield, MO 65801	Bid: Surface asphalt-860 tons @ \$51.00=\$43,860 SS-1 emulsion included Cold milling-295 sq. yd. @ \$42.72=\$12,596.50 Total:56,456.50
Swift Construction 225 E. Main Neosho, MO 64850	Bid: Overlay of Jefferson St. from McKinney north 200’ past Coler. (incl. approx 100 L.F on McKinney) paving will be 1/5” compacted. Transition milling @ all cross streets & intersections milling at Spring St. Total: \$39,778.92

Discussion followed with Mr. Hightower recommending awarding the bid to Swift Construction based on the purchasing policy of allowing local vendor preference.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to accept the bid in the amount of \$39,778.92 from Swift Construction for the overlay of Jefferson Street.

Council Minutes - June 6, 2006

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

UNFINISHED BUSINESS

There was none.

CORRESPONDENCE

Missouri Municipal League

Mayor Werneke reported that the MML Newly Elected Officials Conference will be held in Jefferson City on June 16, and if planning on attending, please inform the city and he will make all the arrangements.

State of Missouri - Department of Revenue

Mayor Werneke reported that the Department of Revenue has acknowledged receipt of notification that the City of Neosho has elected to not participate in the annual Sales Tax Holiday.

NEW BUSINESS

Bill No. 2006-210...Declaring certain personal property as surplus and setting forth the method for disposing of same...1st Reading

Bill No. 2006-210 was read by title only by Mr. Hays.

Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-210 on first reading.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

PUBLIC HEARING regarding an application submitted by Rebecca J. Brand for a Certificate of Public Convenience and Necessity for Operation of a Taxicab Service.

Mayor Werneke opened the public hearing.

Ms. Brand informed the council that she has a seven passenger van and inquired if that was acceptable as Section 625.100 limits the number of passengers to be carried.

Ms Brand also informed the council that a child seat is being installed on one of the bench seats and inquired as to how to determine whether a child was required to be in a car seat.

Council Minutes - June 6, 2006

Mr. Hays noted that clearly this ordinance was written when taxicabs were universally vehicles or passenger cars. Although it is not addressed as such, the interpretation he would take with it would be that the manufacturer has suggested a seating capacity of the vehicle, and that you would meet that manufacturer's seating capacity.

Mr. Hays also noted that as to children in car seats, that is state law and four years and younger is required to be in a car seat. The recommendation he is going to be giving the city and the police officers will be to enforce it as state law requires.

Councilman Smallwood suggested amending the city codes to bring them up to date.

There being no further comments, Mayor Werneke closed the public hearing.

Consider Issuance of a Certificate of Public Convenience and Necessity for the Operation of a Taxicab Service to Rebecca J. Brand.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to issue a Certificate of Public Convenience and Necessity for the Operation of a Taxicab Service to Rebecca J. Brand

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider Tax Credit Agreement (Neosho Airport Terminal Project) between the City of Neosho and the Missouri Development Finance Board

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to approve the Tax Credit Agreement (Neosho Airport Terminal Project) between the City of Neosho and the Missouri Development Finance Board.

A lengthy discussion followed concerning the proposed terminal building including the size, the cost, the bidding process, the location, the financing, whether there was a need for a new terminal, the construction of commercial and private hangars, economic development in the area of the airport, fueling systems, lease agreements and the airport master plan.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Consider request submitted by Neosho Relay for Life for a Fireworks Display

Ms. Angela McCauley addressed the council and requested permission for a fireworks display during the Neosho Relay for Life activities on the of June 9.

Discussion followed.

No action was taken in consideration of a suggestion to change the ordinances to allow firework displays of this nature without having to appear before the council.

It was the consensus of the council to approve Ms. McCauley's request.

Council Minutes - June 6, 2006

Presentation of Recommendation for Solid Waste Collection

The following recommendation was presented.

Sanitation Waste Collection Proposal

This Sanitation Committee was appointed by the Neosho City Council on December 20, 2005 to research the issue of the City of Neosho contracting with one trash hauler for the purpose of residential and/or commercial trash pickup, and curbside recycling pickup, within the city limits of Neosho.

The Committee met on several occasions to discuss these issues and collect information. Because of their population size (approximately 10,000 people), the Committee decided to contact the following cities: Carthage, Monett, Nevada, Ozark and Webb City MO. And Elk City and Miami OK. In addition the City of Joplin is the closest large city to Neosho, the committee decided to include information regarding their trash-hauler situation

In addition, the Committee collected information on the current rates of trash haulers working within the City of Neosho.

The pros and cons to contracting with one hauler would be:

Pros:

- Residents could lower monthly and rates negotiated as part of a single contract.
- Residents would all pay the same rates.
- Residents could pay monthly versus quarterly.
- Residents could realize one-third of the sanitation truck traffic on residential streets.
- Residents would avoid "arbitrary rate hikes"
- Residents in a neighborhood would have same day service.
- City could control billing.
- City would have one hauler to deal with in the event of pick-up problems.
- City would not have the problem of collecting the 5% of gross sales for the enforcement of solid waste disposition and related items.
- If equipment breaks down the company should have additional equipment to continue service.

Cons:

- City would have to invite bids and contract with a single hauler.
- City would likely have to be the collecting agent for the citizen's fees and remit to hauler.
- City could have a reduction in the 5% of gross sales collected due to reduced rates.
- City would experience an increase in personnel costs due to administration of contract.
- If hauler was to go out of business, the City would have to re-bid and start with a new hauler.
- This would eliminate free enterprise.

Residential Recommendation:

The Committee's findings indicate that, if the City of Neosho is able to negotiate a contract similar to the cities studied; residential rates in the City of Neosho may decrease by one-third. Viewing the citizen's benefit and the pros and cons outlined above, the Committee recommends the City Council go forward with the bidding process and solicit bids from individual haulers to establish a system of a single-hauler service within the City of Neosho. It is also recommended that the billing for this service be handled by the City Water Department, by including the cost of residential trash pickup to the monthly water bills.

Council Minutes - June 6, 2006

Commercial Recommendation:

The Committee's findings indicate that the City of Neosho should not provide single-hauler commercial trash service. This determination was made after discussion with various businesses within the City of Neosho and information provided by the cities in the study. Almost universally, Neosho business-owners were against the City becoming involved in their trash service. Information received from the cities in the study indicates that the billing process is more complicated and commercial satisfaction is at a low rate.

Residential/Curbside Recycling:

The Committee's findings indicate that the City of Neosho may request individual trash haulers to provide a separate bid for curbside recycling. Curbside recycling, however, will add to the projected monthly cost of residential trash pickup, and the Committee believes that residential curbside recycling will not increase the number of people who engage in recycling. The only way to increase curbside recycling is to mount an extensive, and costly, education campaign on the benefits of recycling. Presently, this campaign is cost prohibitive for the City of Neosho and individual haulers. If the individual hauler providing the best bid is required to undertake this education campaign, it will serve no other purpose than to increase the curbside recycling rate, and therefore, raise the overall residential trash pickup rate.

Committee members: Michael Pim, Robert Blackwood, and John McCormick

Discussion followed with Councilman Birdsong recommending a 30 day period to solicit public response through various media, with information from city staff as to additional costs which would be incurred, and if it is determined to go out for bid, then start that process as soon as possible to give the haulers time to prepare for that possibility.

Schedule dates and times for July council meetings

The next regular meeting of the council was scheduled to begin at 6:30 p.m., Thursday July 6, 2006, at the Neosho Municipal Auditorium. The city council will also, at that time, listen to comments from the public concerning the Choppers for Children event.

Consider Agreement For Fireworks Display between the City of Neosho and A. M. Pyrotechnics, LLC

City Attorney Hays reviewed the terms of the contract for the council. Specifically, they will provide a 10 percent reduction in cost provided they receive a three year bid. It was explained to them that we cannot guarantee three year bids. However, we did state that we would name them as provider for the three years. The most important paragraph, paragraph 4, states that if the monies are not appropriated then it is not going to happen and there is no cost or liability to the city continuing into 2007 and 2008. If there were a problem, for whatever reason, with this years display we would just not budget the fireworks in October and it would just be a one year contract. Other than that, it is actually a very respectful contract towards the city. A & M is providing the necessary insurance and taking on a lot of liability for the fireworks display. Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the agreement between the City of Neosho and A. M. Pyrotechnics, LLC and authorize the Mayor to execute same.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Council Minutes - June 6, 2006

REPORT OF CITY OFFICERS

2005-2007 Budget Process

City Manager Blase presented a tentative schedule for the budget process to begin on June 14 with the staff and ending on August 15th with 2nd & 3rd readings of the ordinance adopting the budget.

South Street Overpass Project

City Manager Blase reported that he had received a letter from Sprenkle and Associates concerning the cohesiveness of the South Street projects coming together.

Mayor Werneke informed the council that it has been discovered that there are three different engineering firms involved in the road construction, the bridge, and the round-about, with some of the plans having been prepared in-house.

It was the consensus of the council to have a contract with Sprenkle and Associates prepared for prepared for council consideration.

Council Direction of the Budget Process

City Manager Blase requested meeting with councilmen on a one to one basis to gather council direction on the upcoming budget.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2180...1st Reading

Master Fund Appropriation Ordinance No. 2180 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2180 in the amount of \$394,795.08 on 1st Reading. Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Abstain.

Motion carried.

Appropriation Ordinance No. 2180...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2180 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2180 in the amount of \$394,795.08 on 2nd & 3rd Readings.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Abstain, Jim Smallwood - Yes.

Motion carried.

Council Minutes - June 6, 2006

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 9:07 p.m.

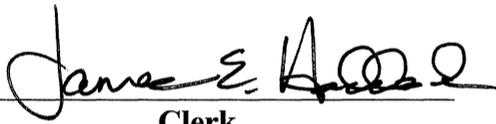
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
June 20, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER AND PLEDGE OF ALLEGIANCE: Mr. Buzz Ball gave the opening prayer followed by the Pledge of Allegiance led by Mayor Werneke.

ROLL CALL: Mayor Werneke presided and the following councilmen were present:

Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

AMEND AGENDA

Without objection, the agenda was amended to delete approval of minutes and to add two items under New Business.

AWARDS

The following awards were presented by Mayor Werneke

HERO OF NEOSHO AWARD
PRESENTED TO
GREG HICKMAN
NEOSHO FIRE CHIEF

IN RECOGNITION OF HIS UNWAVERING, SELFLESS SERVICE TO SOMEONE IN NEED. CHIEF HICKMAN'S HEROIC ACTS OF MAY 29, 2006 SAVED A CHILDS LIFE, AND FOREVER CHANGED THE LIVES OF THOSE CLOSE TO HIM.

THE CITIZENS OF NEOSHO GIVE THANKS FOR HIS OUTSTANDING CHARACTER AND DILIGENCE IN MAKING OUR HOMETOWN SUCH A GREAT PLACE TO CALL HOME.

BY: JEFF WERNEKE, MAYOR

HERO OF NEOSHO AWARD
PRESENTED TO
STEVE DOUGLAS
NEOSHO POLICE SERGEANT

IN RECOGNITION OF HIS UNWAVERING, SELFLESS SERVICE TO SOMEONE IN NEED. SERGEANT DOUGLAS' HEROIC ACTS OF MAY 29, 2006 SAVED A CHILDS LIFE, AND FOREVER CHANGED THE LIVES OF THOSE CLOSE TO HIM.

THE CITIZENS OF NEOSHO GIVE THANKS FOR HIS OUTSTANDING CHARACTER AND DILIGENCE IN MAKING OUR HOMETOWN SUCH A GREAT PLACE TO CALL HOME.

BY: JEFF WERNEKE, MAYOR

Chief Hickman and Sergeant were also both recognized by the Neosho Police Department and the State Fire Marshall's Office for their actions.

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Werneke announced that one vacancy exists for a term of 4 years beginning April 1, 2006.

Park Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning May 1, 2006

Neosho-Newton County Library Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning July 1, 2006, and that one letter of interest has been received from Mr. Steven Douglas.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to reappoint Mr. Douglas to the Neosho-Newton County Library Board.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Fire Department - Replace Roof at Station No. 1

The following recommendation was presented for consideration.

June 15, 2006

To: City Manager Jan Blase

From: Fire Chief Greg Hickman

Reference: Bids for replacement of roof for part of Fire Station 1

Attached you will find a bid specifications and returned bids for repair to roof on the training room and office area at Fire Station 1

Bid package was mailed to eight (8) roofing contractors only two returned bids:

Camerer Roofing, Neosho	bid returned, \$9,600.00
Golubski Roofing, Wentworth	bid returned, \$6,029.00

There is a question on Golubski Roofing's contractor's license within the City and I have made contact with them. I have not received a return call at this time.

I would propose Golubski Roofing be awarded the bid for the repairs in the amount of \$6,029.00

Respectfully:
Fire Chief
Greg Hickman

Chief Hickman informed the council that the question on Golubski Roofing's contractor's license has been cleared and they do have a current license.

**FIRE DEPARTMENT – FIRE STATION 1 ROOF
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the replacement of the roof at Fire Station 1 for the Fire Department of the City of Neosho.

The bid opening was held at 10:00 a.m., June 7, 2006 in the Lobby of City Hall. Present for the opening were Mike Eads and Debbie Lazure.

The following bids were received:

Camerer Roofing 18300 Kodiak Rd. Neosho, MO 64850	Bid: Replacement of roof at Fire Station 1 per specs Total: \$9,600.00
Golubski Roofing 311 Walnut St. Wentworth, MO 64873	Bid: Replacement of roof at Fire Station 1 per specs Total: \$6,029.00 ***Contractor's license has expired, will have to renew before they can begin work.
Thurman Roofing	No Response
McDowell Roofing	No Response
Beasley Roofing	No Response
McKay Quality Roofing	No Response
Advantage Roofing	No Response
Jim Ryan Roofing	No Response

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Golubski Roofing in the amount of \$6,029.00.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-210...Declaring certain personal property as surplus and setting forth the method for disposing of same...2nd & 3rd Readings

Bill No. 2006-210 for Ordinance No. 252-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-210 on second and third readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

CORRESPONDENCE

Missouri Rural Services Worker's Compensation Award.

Mr. Blase reported that the City of Neosho received an invitation to the 15th annual meeting of the Missouri Rural Services Workers' Compensation Insurance Trust at which time the City will be presented with a Hall of Fame safety plaque award for excellence in accident prevention for the period of April 1, 2002 to April 1, 2005.

The City has won three consecutive awards which shows that the City has an excellent safety record and this has resulted in a cost savings in a dividend refund of approximately \$13,000 this year. The employees of the City need to be recognized for this achievement.

NEW BUSINESS

Bill No. 2006-211...Amending Sec. 110.060 of the Municipal Code of Ordinances...1st Reading

Bill No. 2006-211 was read by title only by Mr. Hays.

At the request of Councilman Carnes, Mr. Hays read Section 110.060 in it's entirety.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Bill No. 2006-211 on first reading.

Discussion followed with Mr. Hays informing the council that the past ordinance completely barred officers and employees of the city of being directly or indirectly involved in contracts, jobs, or awards for materials. This would go as far as reaching out to officers on committees, commissions that serve the city as well. The State of Missouri statute, specifically RSMo. 105.454, mandates what the state requirements, state law is for that. What it states is that there should not be a full bar, but instead if that someone, as identified in this ordinance, is involved then that person should go through the bidding process and be the lowest bid. Typically in our fiscal policy what we do is the lowest and best bid, which allows us to accept jobs or bids that may not be the very lowest, but may be the best and the lowest. In other words, if we get a contract from somebody that is going to do some work for \$5,000 and somebody else can do it for \$5,500, the way our fiscal policy is, if the person that bid the \$5,500, if they've done work before for the City, if they've been very good, or they're using items that the city already has in place, like fire hydrants or safety equipment or what have you, we would say that it the lowest and best bid; so, we would accept that bid even though it wasn't the lowest bid.

Under 105.454, if it is an officer or employee of the city, then it specifically has to be the lowest bid. It can't be the lowest and best, but the lowest. Likewise, if it is a franchise contract, it needs to go through the city's fiscal policy as it relates to the franchise process; and any of these individuals who would be in the position to make a decision, would not be able to vote. In other words, they would abstain from the vote of that particular contract or acceptance of the bid.

This was so far reaching in it's past tense that Buzz Ball being on a city committee, we would not have been able to advertise in the local newspaper. John Branham, who does a huge community service to our community, but also is a very respected and good contractor, we would not be able to use him. What would I see would happen if...enforced...is we would have a mass exodus of many of our committees. Quite honestly, we would probably have very few people wanting to run for council who have any type of contact...which would cause them to lose more than the twenty dollars a month that they receive...change the ordinance to be consistent with the charter and consistent with the state law...what it would come down to, if there is a conflict, we have an ordinance that is in conflict with the state law, the state law wins out under the supremacy clause.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Abstain, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Abstain.

Motion carried.

Discuss or consider a professional services contract between the City of Neosho and Kromm, Rikimaru and Johansen, Inc.

Mr. Blase informed the council that he has a meeting with the Auditorium Committee to discuss a financial plan to be presented to the council. The city has been receiving bills from Kromm, Rikimaru and Johansen, Inc., and the council has not been presented a contract for consideration. Hopefully, this issue will be resolved before the budget is approved and a presentation made to the council as to what has happened so far and where it is going so we can approve or not accordingly.

Mr. Hays informed the council that following a meeting of the Auditorium Committee, where the architect was present, he met with the architect for approximately two hours concerning the terms of the contract and the architect was to have emailed the contract back to the city attorney with changes to be made. He has yet to receive those changes from the architect. Mr. Kromm understood the concerns the city had and was given an explanation of the concerns of the city. There were some issues that have to be resolved before the city accepts any contract.

Mr. Blase informed the council that in the future he plans to bring forward to the council approval for an exploratory budget for these professional services, say not to exceed \$5,000, so we can get the floor plans drawn up before you approve the contract.

Discussion followed. No action was taken.

Certification of Big Spring Plaza Community Improvement District, June 6 Mail-in Election

Mr. Garrow informed the council that following the Big Spring Plaza CID, June 6, 2006 Mail-in Election, the City is required to accept the results of the election as certified by the Newton County Election Authority. The Newton County Election Authority has certified that the results of the election were five yes votes and zero no votes.

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to accept the results of the June 6, 2006, Mail-in Election for the Big Spring Plaza Community Improvement District imposing a community improvement district-wide sales and use tax at the maximum rate of one percent (1%) for a period of twenty-five (25) years from the date on which the tax is first imposed, as certified by the Newton County election authority.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Consider request to amend the budget.

Mr. Blase informed the council that revenues are \$4,000 ahead of what was anticipated, so there would be an adjustment on the revenue side and the city is needing to make some electrical improvements before the 4th of July. The pavilions that had electricity are now without electricity and that needs to be corrected.

Motion was made by Councilman Persinger and seconded by Councilman Carnes to amend the budget in the amount of \$4,000.00.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider Change Order #2 to Contract Agreement between the City of Neosho and Branco Enterprises, Inc. dated January 17, 2006

Mr. Blase informed the council that the change order was for changes to the sidewalk and lighting project which the contractor had been authorized to complete. The project has been inspected by the staff and has been completed.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to approve Change Order #2 to the agreement between the City of Neosho and Branco Enterprises, Inc.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Consider contract with TAZ Electric for electrical work on the Lampo Community Center

Mr. Pim informed the council that the bid for the electrical work had been approved and awarded to TAZ Electric on May 16.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the contract with TAZ Electric and authorize the Mayor to execute same.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

2006 JET

REPORT OF CITY OFFICERS

Water Loss Report

Mr. Blase informed the council that he would like to use a four pronged approach to isolate areas of concern regarding the water loss.

1. Replace all meters that are over 15 years of age.
2. Fix the 41 known leaks that we have and prepare a bid estimate for analysis of all those otherwise not checked. That especially would come late this year or, early in the spring, we would fix them next year. The 41 known ones we would fix now.
3. Place meters in strategic locations once these repairs are made and meters in place, so that we can isolate specific areas of town and also meter all un-metered city sources.
4. Hire someone or pay someone overtime for auditing of all the metered accounts. We could find a student or someone part time to do that and Mr. Blackwood would handle that.

The estimated cost would be about \$100,000 not knowing how much contract labor there would have to be, but that is pretty close to what it would cost. There is \$267,000 and some change in the budget this year for meters. The logic of the approach was to start putting in high tech systems. With us not knowing exactly where we stand right now would just exacerbate trying to find out what the problem is. Once we get the problems isolated, then we can start looking at some of the new wireless meter reading systems. But again, meter readers provide a valuable service because they check on a lot of our older residents and they know what is going on in the neighborhoods, and I don't know that is something that I would recommend we replace anyway.

Discussion followed.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2181...1st Reading

Master Fund Appropriation Ordinance No. 2181 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2181 in the amount of \$431,946.10 on 1st Reading.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Appropriation Ordinance No. 2181...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2181 was read by title only by Mr. Hays

Council Minutes - June 20, 2005 2006 JEH

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2181 in the amount of \$431,946.10 on 2nd & 3rd Readings.

Discussion followed concerning payments for gas usage during the month of May and trash bag purchases at the municipal auditorium.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

CLOSED MEETING:

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to close the meeting pursuant to Section 610.021(2) RSMo.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Mayor Werneke closed the meeting at 7:55 p.m.

The meeting reconvened in open session at 8:20 p.m. and Mayor Werneke announced no action nor vote was taken.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 8:20 p.m.

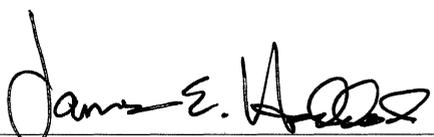
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

**MINUTES
NEOSHO CITY COUNCIL
July 6, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO**

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance.

ROLL CALL

The following councilmen were present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

PROCLAMATIONS

Mayor Werneke issued the following proclamation.

Employer of the Month

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, the Missouri Department of Transportation began its operations in Neosho in the 1950's and has been a part of Neosho since; and

Whereas, the Missouri Department of Transportation has continued since that time to build new roads and highways and continued maintenance services on existing state and local roadways, increasing the number of employees from 20 to 31 locally, and their facility from 4,320 sq. ft. to the present 5,400 sq. ft.;

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim the Missouri Department of Transportation as Neosho's Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 6th day of July, 2006.

/s/Jeff Werneke, Mayor

Attest: /s/James E. Haddock, Clerk

AMEND AGENDA

The agenda was amended to add Visitors Business and Appropriation Ordinance No. 2185.

VISITORS BUSINESS

Choppers for Children

Ms. Diane Jones addressed the council and stated that as a business owner on the square that she would like to see Choppers for Children back on the square next year and that she had a petition of 850 signatures to that effect.

Mayor Werneke advised Ms. Jones to present the petition to the Choppers for Children organization as they were the ones who made the decision to move from Neosho, and that the petition would show support for their continued presence. The council's position was a four to one vote to keep the event.

Councilman Persinger expressed his support and encouraged supporters of the event to be more vocal in their support.

Councilman Birdsong expressed his support and suggested that the leadership of the city council contact Mr. Watson and the board, either directly or by letter, and remind them of the council's position that we have not denied access for two consecutive years. The city council has agreed to issue the permits for the Choppers for Children and that decision has not been reversed, and that the council, lacking credible evidence to the contrary, remind Mr. Watson we would like to have it back and to reconsider their decision and let them know that although there is opposition that there is also significant support.

Councilman Carnes stated that we are overlooking the ordinances that we have for Neosho and as a law abiding community acknowledge that those are on the books and followed.

Councilman Birdsong noted that there has been two legal opinions regarding the beer garden on the square and both found nothing wrong with the decision to allow a beer garden on the square and requested the city attorney to look at the ordinances and clear up any discrepancies that will eliminate some of the confusion over the ordinances. Let's make it very clear what we are trying to do. If it is confusing to people, let's clear it up or do away with it.

Discussion followed with opinions given in support of and opposed to the Choppers for Children event.

In response to questions from the audience, Mr. Hays explained the provisions of Section 1.03 and Section 1.04 of the City Charter which allowed the council to set aside city ordinances from time to time to allow for events, including establishing one way streets during the annual garage sale or allowing fireworks displays during various events when the ordinances do not allow for fireworks to be set off or for purposes of serving alcohol within the city limits, anywhere within the city limits.

Mr. Jon Harden requested, that in the event the organization chooses to re-evaluate their decision, that another meeting be scheduled to conduct an open forum.

It was the consensus of the council that another meeting would be scheduled, should that be brought before the council.

NEW BUSINESS

Authorize acquisition of airport fuel truck

Mr. Blase updated the council on the airport activities and plans. Tomorrow, he will be meeting with the State of Missouri and the city's consultant on the overall layout plan of the airport.

Council Minutes - July 6, 2006

The terminal project has been funded, but there will be an additional cost to add the canopy back to the building. Moving the current electronics and electricity and other items which need to be moved from the current building to the new facility were not included in the bid to be moved and the bid specifications are now turn key and when the city receives the terminal, it will be ready to go, including a wall for Hugh Robinson memorabilia. It will also have a terra cotta roof.

The current refueler for Jet A fuel at the airport is in need of replacement due to the many operational problems with the truck. There is a standing offer of \$6,000 for the truck and the city needs to acquire a replacement which would serve the needs of the airport.

Regarding the public and private hangars, there is a State program called the Star Program which will loan money for the construction of two 15 unit T-hangars. There are now twenty-two people on the list wanting T-hangar space. The city can use the storm damage proceeds to purchase the fuel truck and for the long term financing down payment on the T-hangars and other improvements such as the runway lights, moving the wind sock poles, and removing the hay bales. There are also eight people interested in leasing property for the construction of private hangars.

Mr. Blase requested permission to negotiate the purchase of a new refueler and the sale of the current truck. A new refueler could probably be purchased for between \$20,000 and \$25,000. Funds to purchase the truck are available in the current budget and the purchase will be included in the long-term financing plan for the airport which is to be presented to the council before the end of the current budget year.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to authorize the city manager up to \$30,000 for the purchase of a new fuel truck and authorize the city manager to sell the existing truck for not less than \$6,000.

Discussion followed.

Councilman Birdsong was asked for a clarification of the motion. Does the \$30,000 include the \$6,000 or is that \$30,000 plus the \$6,000?

Councilman Birdsong responded that if we can get a truck for \$36,000 and we sell this one for \$6,000, then we are not out any more than \$30,000.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Authorize purchase of real estate located at 913 College St.

Mr. Blase informed the council that the city had entered into a contract dated March 28, 2006, for the sale of a house to be purchased in the flood buyout project. There was an appraisal on the house. The purchase price is \$78,878.50. The federal portion is \$50,000.00 with the remainder the city's portion which will have to come from drainage. As soon as the city sells some surplus property, then those funds will be reimbursed.

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to authorize the purchase of the real estate at 913 College Street.

Council Minutes - July 6, 2006

An amended motion was made by Councilman Smallwood and seconded by Councilman Persinger to authorize the purchase of the real estate at 913 College Street and authorize the Mayor to sign the closing papers.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

APPROPRIATIONS

Appropriation Ordinances No. 2182, 2183, and 2185...1st Reading

Master Fund Appropriation Ordinances No. 2182, 2183, and 2185 were read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2182 in the amount of \$1,738.15, Master Fund Appropriation Ordinance No. 2183 in the amount of \$2,300.00, and Master Fund Appropriation Ordinance No. 2185 in the amount of \$3,950.00 on 1st Reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Appropriation Ordinance No. 2182, 2183, and 2185...2nd & 3rd Readings

Master Fund Appropriation Ordinances No. 2182, 2183, and 2185 were read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2182 in the amount of \$1,738.15, Master Fund Appropriation Ordinance No. 2183 in the amount of \$2,300.00, and Master Fund Appropriation Ordinance No. 2185 in the amount of \$3,950.00 on 2nd & 3rd Readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Appropriation Ordinance No. 2184...1st Reading

Master Fund Appropriation Ordinance No. 2184 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2184 in the amount of \$415,829.69 on 1st Reading. Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Abstain, Jim Smallwood - Yes.

Motion carried.

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Appropriation Ordinance No. 2184...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2184 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2184 in the amount of \$\$415,829.69 on 2nd & 3rd Readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Abstain, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CLOSED MEETING:

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to close the meeting pursuant to Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Mayor Werneke closed the meeting at 7:25 p.m.

The meeting reconvened in open session at 9:20 p.m. and Mayor Werneke announced the council discussed a personnel matter and no action nor vote was taken.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 9:20 p.m.

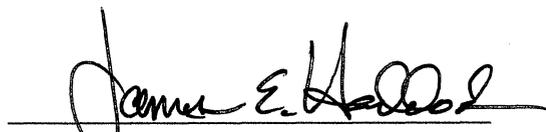
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
July 18, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

R. W. Lavender gave the opening prayer followed by the Pledge of Allegiance led by Mayor Werneke.

ROLL CALL: The following councilmen were present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of June 6, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of June 6, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Regular Session of June 20, 2006

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to approve the minutes of the regular session of June 20, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Closed Session of June 20, 2006

Motion was made by Councilman Persinger and seconded by Councilman Carnes to approve the minutes of the closed session of June 20, 2006

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Council Minutes - July 18, 2006

Regular Session of July 6, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of regular session of July 6, 2006

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Closed Session of July 6, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of closed session of July 6, 2006

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

APPOINTMENTS/VACANCIES

Neosho Housing Authority

Mayor Werneke announced that one vacancy remains open for a term of 4 years beginning April 1, 2006.

Park Board

Mayor Werneke announced that one vacancy remains open for a term of 3 years beginning May 1, 2006

Neosho Recreation Board

Mayor Werneke announced that Mr. Bill Smith has moved his residency out of state and that Mr. Smith was appointed to a 3 year term beginning May 1, 2005.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to remove Mr. Smith from the Recreation Board and declare a vacancy on the board.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. A. W. Lavender was recognized and placed on the agenda and without objection Visitor's Business was forwarded on the agenda.

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VISITORS BUSINESS

Cindy O'Neall – Neosho Rodeo Days

Ms. O'Neall was not present.

A. W. Lavender - Choppers for Children

Mr. Lavender addressed the council and read a statement objecting to allowing a beer garden at a Choppers for Children fund raiser. The statement was to have been presented to the city council on July 6 when statements were to have been presented concerning the Choppers for Children event in 2007; however, Choppers for Children announced prior to the July 6 meeting that they were not going to hold the event in the City of Neosho in 2007.

BIDS

Neosho Police Department – Vehicle

Chief McCracken presented the following recommendation for consideration.

To: City Manager Jan Blase

Subject: Replacement Vehicle – State Bid Contract #C106000001

I have received the price for Police Package vehicles for 2007. Joe Machens Ford has the State bid. The price per unit is \$22,038 including delivery to Neosho.

I am requesting that we replace the vehicle, which was involved in the recent accident at this time. Due to the condition of our fleet we need to place the order, which will be delivered in September, if we order soon. As you know I have proposed replacement units for next year's budget, which should have a shorter waiting period before delivery.

The only funding I have for this request is the insurance payment for the wrecked vehicle.

Insurance Payment \$ 8,500

Remaining Balance \$13,538

I consulted with our Finance Director Bob Blackwood, who advised we have the \$13,538 for the purchase in revenue that has exceeded our budgeted amount for this budget year.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to authorize the purchase of the 2007 police package vehicle from Joe Machens Ford in the amount of \$22,038 and authorize the Mayor to execute any documents necessary.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Water Distribution & Maintenance – Water Meters

The following recommendation was presented for consideration.

To: Honorable Mayor Werneke
Councilpersons

Council Minutes - July 18, 2006

From: Mike Hightower

We recently went out for bids on meters. The bids are as follows.

Option #1 All Direct Read

	# of Meters	Meter Sizes	# of Meters	Meter Sizes	Total Cost
	1325	5/8" x 1/2"	10	1 1/2"	
	115	5/8" x 3/4"	30	2 "	
	40	1"	1	4"	
Water Products (Amco)		\$38,130.00		\$ 9,677.00	\$ 47,807.00
Joplin Supply (Amco)		\$41,896.30		\$10,533.11	\$ 52,429.41
Actaris (single set)		\$90,720.00		\$28,100.00	\$118,820.00
(multi mag)		\$37,444.00		\$28,100.00	\$ 65,544.00

Option #2 Touch Read

	# of Meters	Meter Sizes	
	10	1 1/2"	
	30	2 "	
	1	4"	
Water Products		\$10,646.70	
Joplin Supply		No Bid	
Actaris		No Bid	
National Waterworks		\$16,962.27	

I recommend purchasing the following meters from Water Products

Direct Read (Option 1)	5/8" - 1" meters	\$38,130.00
Touch Read (Option 2)	1 1/2" - 4" meters	\$10,646.70
	Total	\$48,776.70

Discussion followed.

Motion was made by Councilman Persinger and seconded by Councilman Carnes to purchase 5/8" - 1" meters in the amount of \$38,130.00 and 1 1/2" - 4" meters in the amount of \$10,646.70 from Water Products. Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-211...Amending Sec. 110.060 of the Municipal Code of Ordinances...2nd & 3rd Readings

Bill No. 2006-211 for Ordinance No. 253-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-211 on second and third readings. Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - No, Matthew Persinger - Yes.

Motion carried.

Council Minutes - July 18, 2006

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-212...Designating and defining the boundaries of the City of Neosho's Historic Preservation District ...1st Reading

Bill No. 2006-212 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-212 on first reading.

Discussion followed.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-213...Providing that Chapter 310 of the Code of Ordinances be amended by revising Section 070 providing for additional safety requirements of vehicle operators upon approach of emergency vehicles...1st Reading

Bill No. 2006-213 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-213 on first reading.

Discussion followed.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Adopt Resolution 2006-07...Authorize submitting an application to the Missouri Department of Economic Development to pursue selection designating the City of Neosho as a DREAM community

Resolution Bill No. 2006-7 for Resolution 53-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to adopt Resolution Bill No. 2006-7.

Mr. Blase reported that Gov. Blunt has announced a program that will benefit 6 to 10 cities throughout the State, with aid for downtowns that have need of assistance. The Dream program will basically make these 6 to 10 cities priorities with the State's funding organizations. These organizations will provide aid and assistance to get these downtowns jump started. They are not looking for towns that haven't done anything, that are looking for cities that have some promise, and the City of Neosho is a good fit for the program.

Discussion followed.

Council Minutes - July 18, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Amend agreement with Empire District Electric to add three (3) street lights at Reid Road and Breckenridge

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to amend the Electric Service Agreement with Empire District Electric to add three street lights and authorize the mayor to execute same.

Discussion followed and it was noted that the Traffic Committee had recommended the addition of the lights.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Presentation of staff recommendation regarding trash service

City Manager Blase informed the council that the staff recommends that the City Council issue instructions to proceed with a bid for single service refuse service. Bidding will coincide with the timeframe of required notice set by statute, so that the bid will be timely with the notice already issued. This would allow ample time for public notice of a change in procedures if the City Council saw fit to award a bid and move to single hauler refuse service.

The staff believes that without knowing what the rate structure might be, determined through the bidding procedure, the City Council is not receiving all of the relevant information needed to make a decision on the issue.

In addition, city staff is concerned with the curbside trash left out at differing times in our neighborhoods. Single hauler service would help the appearance of the neighborhoods by limiting the timeframe for trash to be curbside. Thus reducing the chance of disturbance and helping the appearance of the city streetscape.

Discussion followed. No action was taken pending further research and input from the public.

Consider request to amend the Police and Recreation Department budgets

Mr. Bob Blackwood, Finance Director, informed the council that the Recreation Department proposes to appropriate \$9,500 to fund air conditioning repairs made to the HVAC system. Funding source is estimated revenue from the Recreation Sales Tax, which the Finance Director indicates will exceed original estimates sufficiently to permit this amendment.

Additionally, the Police Department proposes to appropriate \$13,600 to replace a vehicle involved in an accident. Funding source is the estimated revenue from the One Cent City Sales Tax, which the Finance Director indicates will exceed original estimates sufficiently to permit this amendment.

Discussion followed.

Council Minutes - July 18, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the budget be amended by stated amounts for the Recreation Department \$9,500 and the Police Department for \$13,600.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

REPORT OF CITY OFFICERS

Mr. Michael Pim, Building Inspector - Lampo Building Project

Mr. Pim informed the council that phase one of the project is 95 percent complete. There remains a small amount of trim around the windows and the general contractor's portion will be complete.

The electrical is complete to this point, other than actually attaching the fixtures, and the electrical contractor will be asked to wait on finishing the fixtures until the building is secured.

The scope of work estimated to finish the project includes: 1) Heating and Air; 2) Acid stain concrete floor; 3) Entry doors in place of old garage doors; 4) Bathroom fixtures, set and finish; 5) Complete kitchen with appliances; 6.) Interior doors and trim; 7) Sidewalks, entryway and patio. The estimated amount of funds needed is \$38,500.00.

Discussion followed.

Mr. Jan Blase, City Manager - Request for Letter of Approval to be submitted to the Missouri Division of Alcohol & Tobacco Control

Mr. Blase informed the council that he had received a request from Suzanne M. Howsmon for a letter from the City of Neosho to the effect that the City of Neosho is aware and has approved Suzanne M. Howsmon, DBA Sam's Cellar, LLC to move forward with construction at 101 N. Wood Street on the square in Neosho, Missouri, with the intent to open a restaurant and sell alcohol, by applying for a liquor license through the Missouri Department of Public Safety - Division of Alcohol and Tobacco Control.

Discussion followed. There was a majority consensus to grant the request.

Mr. Bob Blackwood, Finance Director - 2006-2007 FY Budget

Mr. Blackwood reported that a draft of the City's budget will be ready by July 20. The budget reflects the staff input to the city manager. The highlights of the budget include a 3% cost of living increase for permanent employees. Six new permanent positions have been added and three vacant positions have been deleted. For the department heads there was no limit on their budget requests. Here you will see whether or where past budgets may have unfairly addressed some functions of government.

There is one significant change to the form and format of the budget. All the components of the general fund are grouped together for the first time. In previous budgets many departments were represented as being autonomous from the general fund simply because they had dedicated tax revenues which must be spent on that department or function. That legal requirement to dedicate tax revenues is honored in this budget and at the same time give a broader picture of the sources of revenue and operating costs associated with exercising government within the city.

Council Minutes - July 18, 2006

In the coming two weeks, the city manager will meet with department heads and modify the budget to balance with expected revenue. At that time we will finalize our proposed budget and schedule budget review meetings at the convenience of the council.

Sales tax revenues for the past six or eight months are running at 5.75 percent. For the budget, sales tax revenue projections are based on a 5.5 percent increase which is optimistic. There are considerable capital improvement requests far exceeding discretionary revenues projected to be available. For those items which cannot be immediately funded in the budget proposal, the staff will meet quarterly and compare actual and projected revenues and if revenues are above projections then the council will be asked to fund those capital improvements.

Discussion followed concerning depreciation and maintenance of equipment and an updated list of assets.

Mr. Jan Blase, City Manager - Capital Projects

Regarding the South Street Overpass, La-Z-Boy Drive, and Howard Bush Drive Extension, Mr. Blase reported that when he met with MoDOT they said that we are basically back to square one with the railroad crossings, which were the key to funding some of the projects. There are concerns of environmental conditions on La-Z-Boy Drive. Phase 1 came to a halt, which caused Phase 2 to come to a halt, which affects South Street and the costs.

When La-Z-Boy Drive was planned, it was \$25,000 to close the four crossings which would go to the asphalt paving. The city would do the road bed and the lights, but now with the price of asphalt, there is no way to do that for \$100,000. It would be almost twice that amount. That is in addition to the environmental concerns, which we don't even know what those are just yet.

APPROPRIATIONS

Appropriation Ordinance No. 2186...1st Reading

Master Fund Appropriation Ordinance No. 2186 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2186 in the amount of \$302,304.54 on 1st Reading.

Discussion followed.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Abstain, Jim Smallwood - Yes.

Motion carried.

Appropriation Ordinance No. 2186...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2186 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2186 in the amount of \$302,304.54 on 2nd & 3rd Readings.

Council Minutes - July 18, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Abstain,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CLOSED MEETING:

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to close the meeting pursuant to Section 610.021(2) RSMo....Leasing, purchase or sale of real estate by a public governmental body...

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Mayor Werneke closed the meeting at 8:40 p.m.

The meeting reconvened in open session at 9:12 p.m. and Mayor Werneke announced that no action nor vote was taken.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 9:12 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
August 1, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Werneke called the meeting to order at 7:05 p.m.

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Councilman Persinger gave the opening prayer and Mayor Werneke led the Pledge of Allegiance

ROLL CALL

Present: RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Absent: Howard Birdsong. Without objection, the absence of Councilman Birdsong was excused.

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of July 18, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of July 18, 2006.

Councilman Carnes questioned the passage of Bill No. 2006-211 at the council meeting of July 18, 2006.

Discussion followed with City Attorney Hays explaining that there were two abstentions on the vote on first reading due to conflicts; however, there were no conflicts on 2nd and 3rd readings which would require an abstention from voting.

Roll call vote:

RoseMarie Carnes - No, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of July 18, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the closed session of July 18, 2006

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes.

Motion carried.

PROCLAMATIONS

Employer of the Month

Mayor Werneke issued the following proclamation.

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Council Minutes – August 1, 2006

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Missouri Farmers Association began its operations in Neosho in 1923 and has been a part of Neosho since; and

Whereas, Missouri Farmers Association has continued since that time providing area wide farming supplies, animal feeds, blended fertilizers, seeds, minerals and chemicals. M.F.A. Agri Services of Neosho has 10 employees and has expanded their 10,000 sq. ft. facility to their present 16,000 sq. ft.;

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim Missouri Farmers Exchange as Neosho's Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 1st day of August, 2006.

/s/Jeff Werneke, Mayor

Attest: /s/James E. Haddock, Clerk

APPOINTMENTS/VACANCIES

Park Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning May 1, 2006 and a letter of interest was received from Ms. Rebecca Brand.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to appoint Ms. Brand to the Park Board for a term of 3 years beginning May 1, 2006

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Neosho Recreation Board

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning May 1, 2005

Planning & Zoning Commission

Mayor Werneke announced that two vacancies will exist for terms of 3 years beginning in September of 2006 due to the expiring terms of Louise Estes and Janet Penn

TIF Commission

Mayor Werneke announced that two vacancies will exist for terms of 4 years beginning September 1, 2006 due to the expiring terms of Gib Garrow and Warren Langland

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda)

There were none.

BIDS

There were none.

UNFINISHED BUSINESS

Bill No. 2006-212...Designating and defining the boundaries of the City of Neosho's Historic Preservation District ...2nd & 3rd Readings

Bill No. 2006-212 for Ordinance No. 254-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-212 on second and third readings.

Roll call vote:

Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-213...Providing that Chapter 310 of the Code of Ordinances be amended by revising Section 070 providing for additional safety requirements of vehicle operators upon approach of emergency vehicles...2nd & 3rd Readings

Bill No. 2006-213 for Ordinance No. 255-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to pass Bill No. 2006-213 on second and third readings.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Consider Mutual Aid Agreement between the City of Neosho and the Neosho Area Fire Protection District

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the agreement between the City of Neosho and the Neosho Area Fire Protection District for a period of three years and authorize the Mayor to execute.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes.

Motion carried.

Consider School Resource Officer Agreement between the City of Neosho and the Neosho R-5 School District

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the agreement for a school resource officer between the City of Neosho and the Neosho R-5 School District and authorize the Mayor to execute.

City Attorney Hays informed the council that the only change to the agreement was in the dollar amount.

Discussion followed.

Council Minutes – August 1, 2006

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke – Yes, RoseMarie Carnes - Yes, Matthew Persinger – Yes.

Motion carried.

City Manager’s Budget Presentation for FY 2006-2007

City Manager Blasé presented his proposed budget to the city council and read the following budget message:

August 1, 2006

Jeff Werneke, Mayor
Jim Smallwood, Mayor Pro Tem
Howard Birdsong, Councilman
Matt Persinger, Councilman
RoseMarie Carnes, Councilman

SUBJECT: City Manager's Proposed Budget for the Fiscal Year Beginning October 1, 2006 and Ending September 30, 2007

Lady and Gentlemen:

Enclosed you will find my proposed budget for Fiscal Year 2006-2007, the five-year Capital Plan for the Fiscal Years 2007-2011, and a schedule of permanent positions by department for Fiscal Year 2006-2007.

In consultation with my department heads and key staff, this proposed budget will accomplish all the programs and functions the citizens of Neosho currently enjoy and will improve services in certain areas. It is a balanced budget in that the estimated revenues of the City of Neosho exceed the projected expenditures at the total level, except in the Water/Wastewater fund where available fund balance is proposed to be appropriated. In those General Fund functions where sales taxes authorized by votes of the people are estimated to exceed proposed expenditures, the surplus is restricted to future projects directly connected to the purpose for which the people authorized the tax revenue. The restriction of these surplus revenues comprises the difference between total revenues and total expenditures.

At the highest level, the estimated revenues and projected expenditures of the three major fund groups are:

Fund	Estimated Revenues	Projected Expenditures
General	8,940,161	8,596,693
Water/Wastewater	2,875,814	3,156,679
Golf Course	774,200	690,233

Within the budget some \$5.5 million is projected to be spent on payrolls and benefits in all funds. This amounts to 43% of the total expenditures for Fiscal Year 2006-2007. In that payroll I am proposing 124 permanent positions - up two positions from the current Fiscal Year authorizations. That increase does mask the real activity. I am proposing to eliminate three vacant positions and add five new positions. The positions eliminated include the Deputy Director of Public Works (funded in Streets), one of two permanent Animal Control Officers (funded in Police) and an Accounting Clerk (funded in Water/Wastewater). The five new positions include an Administrative Assistant to the City Manager and a Secretary (both funded in General Administration), a Planner (funded by Economic Development but working for the City Manager), an Airport Manager (funded in the Airport Department), and a permanent employee working at the Senior Citizens' Center (funded by them). Several other positions have been transferred from one department to another but the incumbent remains performing the same functions and receiving the same pay.

Council Minutes – August 1, 2006

Requirements for capital expenditures exceeded available funding during this budget preparation process. Priority facility maintenance and capital purchases were funded to the best of our ability, but some \$487,000 of capital expenditures and \$203,000 of construction projects in the General Fund were deferred into the future. In the Water/Wastewater Department capital expenditures totaling approximately \$1.2 million and construction projects amounting to \$500,000 were similarly deferred.

My staff and I anticipate meaningful discussion, advice and direction in the coming weeks as we engage in the process which will turn my proposal into a completed and approved budget.

Sincerely,
Jan Blasé

The council scheduled an informal work session to begin at 5:30 p.m. on the 8th of August to work on the proposed budget.

REPORT OF CITY OFFICERS

City Manager Blasé - DREAM Application

Mr. Blasé informed the council that the DREAM Application has been completed and submitted for consideration and a copy is available for viewing.

City Manager Blasé – Airport Fuel Truck

Mr. Blasé reported that when they went to pickup the airport fuel truck, the title showed it to be a 1981 model, not a 1988 model. The stainless tank was not stainless. The purchase will not be made and the check will be brought back. The seller said they will reimburse the city for time and trouble.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2187...1st Reading

Master Fund Appropriation Ordinance No. 2187 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2187 in the amount of \$427,223.89 on 1st Reading.

Roll call vote:

Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Appropriation Ordinance No. 2187...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2187 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to pass Master Fund Appropriation Ordinance No. 2187 in the amount of \$427,223.89 on 2nd & 3rd Readings.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Council Minutes – August 1, 2006

Appropriation Ordinance No. 2188...1st Reading

Master Fund Appropriation Ordinance No. 2188 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2188 in the amount of \$25,000.00 on 1st Reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes.

Motion carried.

Appropriation Ordinance No. 2188...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2188 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2188 in the amount of \$25,000.00 on 2nd & 3rd Readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 7:40 p.m.

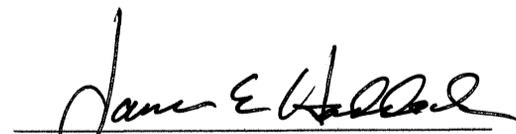
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
August 8, 2006 – 5:30 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO**

A quorum being present, Mayor Werneke called the meeting to order at 5:53 p.m.

ROLL CALL: Present: RoseMarie Carnes, Jim Smallwood, and Jeff Werneke. Absent: Howard Birdsong and Matthew Persinger. Also present: Jan Blase, City Manager and Eric Haddock, City Clerk

THE WALTON FAMILY FOUNDATION

Mayor Werneke reported that the reason for the late start was that he and City Manager Blasé met with representatives from Arvest Bank to accept a donation from the Walton Family Foundation in the amount of \$10,000.00 for the Lampo Building.

INFORMAL WORK SESSION

Review 2006-2007 Fiscal Year Budget

The following memorandum was presented for discussion.

TO: CITY COUNCIL
FROM: JAN M. BLASE
SUBJECT: BUDGET CONSIDERATIONS
DATE: 8/8/2006

The budget process has been an abbreviated version of what will transpire in future budget preparation. We have combined what should be an ongoing 12-month planning process into 9 weeks. With this in mind there will be changes in the budget presented to the Council at the last meeting and this is to be expected. Staff would like to make all the changes at one time and then present the final draft document to the Council on September 5th to be read for the first time with the second and third readings to take place on September 19th.

Streets:

The Staff recommendation is to apply STP funds to the eligible roadways and meet the 20% match requirement with the 2006-2007 annual road improvement monies. This would provide for \$812,500 of road improvements on approved roadways. \$162,500 is the required match for the STP funds and when this amount is removed from next years projected road maintenance budget of \$450,000, the remaining amount is \$287,500. The projected necessary funding for the 2007 street plan is \$203,000. The match and the 2007 plan could be met with a surplus of approximately \$85,000 that could be applied to 2008 plans.

This would mean that Lazy Boy Drive, South Street Overpass, Howard Bush Drive Extension and Highway 59 improvements would need a separate funding source. The projected costs of the projects are as follows:

La-Z-Boy Drive	\$ 200,000.00
South Street Overpass	\$1,541,000.00
Howard Bush Drive Extension	\$ 213,000.00
Highway 59 improvements	\$1,000,000.00
Total	\$2,954,000.00

The citizens would need to reauthorize the 1/8-cent transportation tax to provide a source for funding these projects. The 1/8-cent transportation tax would provide approximately 230,000 more dollars per year.

There is ongoing negotiation with the railroad and state on the closing of crossings, which might provide additional income for select projects. However, at this time I would advise against counting on any closing monies.

\$192,000 per year would debt service \$2,023,200.00 on a 15 year amortization. This would allow for 38K annually to go towards street maintenance programs. I would suggest that we complete the 5-year plan by borrowing monies to meet the needs of the plan in the 2008 budget if the voters approve the reauthorization of the 1/8 cent transportation sales tax.

The following streets would be improved with STP funds.

2007 Street Overlay Plan - MODot Transportation Planning Money

Street		Cost
Main Ave.	Washington to Baxter	7,000
Baxter St	Railroad to High	6,000
High St	High to Coler	66,000
N. College St	Spring to Coler	10,000
Spring St	High to Morse Park	45,000
Lafayette St	Hamilton to South	50,000
South St	Freeman to Cash	45,000
Cash St	Delaware to Daugherty	60,000
Daugherty Rd	Pineville Rd to Sally Ann	30,000
Howard Bush Dr & Cockrell	Nelson to Dodge Ave	80,000
	Last years Est.	\$404,000

The following streets would be improved in the 2007 and 2008 Fiscal Years.

Peterson Rd	Old Seneca to Waldo Hatler	110,000
Main Ave	Mary to Washington	45,000
High St.	Coler to Patterson	50,000
Main St.	Jefferson to High	14,000
Adams St.	Summit View to Dead End	6,000
Adams St.	College to High	6,000
Washington St.	Hill to Rockhill	9,000
Harmony St.	Boulevard to Valley	15,000
Veta St.	Harmony to Valley	10,000
Hickory St.	Veta to Valley	10,000
Blair	Airport to Howard Bush	12,000
Ross	Howard Bush to Cockrell	6,000
Ridgewood Dr.	86 Hwy to Ravenwood	50,000
Kingsbury	Greenwood to Ridgewood	7,000
School St.	Ridgewood to Lou Ida	3,000
Hearrell Ave	Park to South	33,000
South St.	Boulevard to 71 Business	35,000
Eliff Court	Oakridge to Dead End	7,000
Beaumont	Nelson to D Hwy	85,000
McQuary St.	Hill to Sherman	5,000
	Total Cost	\$518,000

It was the consensus of the council for the city manager to proceed with the development of the budget as presented regarding streets.

Personnel:

Five new positions were proposed in the budget letter. The personnel section was an early effort and in working through plans for future years the following suggested changes are made to the recommendations stated in the budget message.

The City Planner and Airport Manager positions are recommended with the Administrative Assistant position being filled in the second half of the year depending upon sales tax revenue. The currently filled position of receptionist/secretary is training for planning technician to provide for the future continuity of the planning and development efforts of the City.

The Secretary position proposed for funding would be reallocated and these monies dedicated to the salary of a Parks and Recreation Director and the City Planner. The job description for the Parks and Recreation Director would be to supervise the recreation center, park lands, programs, park maintenance, building maintenance including city hall, auditorium, senior center, Lampo building and RV park. The senior center person would become part time and a team of existing employees, who would perform as maintenance specialists would be organized to oversee all city building maintenance. This team would maintain and repair within their limitations and recommend and oversee outside contractors.

It was the consensus of the council for the city manager to proceed with the development of the budget as presented regarding personnel.

Mr. Bob Blackwood, Finance Director, reported on the revenue increases which have been built into the budget, including increases in golf course fees, code enforcement and building inspection, and water and sewer charges. Discussion followed.

Extension of Water and Sewer Lines. City Manager Blasé informed the council that in addition to extending water and sewer lines to the new elementary school the lines need to be relocated at the high school. The high school has a problem with construction in that the old line goes through the parking lot; and they have building plans to go over it. The city previously agreed to install the line in the ditch behind the school, if they purchased the materials.

Mr. Mike Hightower, Director of Public Works, informed the council that the school is required to put in only an 8 inch line. The city would like a larger line installed, a 12 inch line for future growth, and the city has budgeted funds for the cost of the difference in size.

Discussion followed.

A poll of the council was unanimous to authorize the City Manager and the City Attorney to draft an agreement with the Neosho R-5 School District to provide labor and equipment for the installation of water and sewer lines to the new elementary school, located on the Fank property, and the relocation of the high school lines.

The council reviewed and discussed proposed capital expenditures and unfunded capital expenditures with Mr. Blackwood elaborating on the capital items.

Mayor Werneke commented on the need for improvements to Scenic Park and discussion followed concerning Scenic Park.

Mr. Hightower requested that the funds budgeted for replacement of the sludge truck tank in the Water/Wastewater Department be designated for unfunded new filter controls at the Water Plant which is a more critical need.

In the Street Department the employees are recommending that monies, if at all possible, be diverted for the purchase of the unfunded Bucket Truck. The current truck needs to be replaced, as it moved under its' own power the other day with someone in the bucket.

Discussion followed and Mr. Blasé stated that this would be addressed.

In the Wastewater Department, the unfunded Clarifier Skirting and Baffles, which will cost approximately \$60,000 will need to be replaced.

Additionally, in the next year if monies become available, Mr. Hightower would like to complete the Pro-Lube and Keene Lane Sewer Projects. This is a sewer main extension on the South side of Highway 86. This extension would serve Dr. Kent Findley, DVM, Country Care Medical Clinic and Pharmacy, and other businesses.

Fire Chief Hickman reported that the budget may need to be adjusted due to a problem with one of the pumper trucks.

Discussion followed concerning the cost of the South Street Bridge; the need to have emergency response in that area of the city; and the options that exist for the placement of emergency responders or EMT's in that area of the city.

It was the consensus of the council to schedule an informal session, beginning at 5:30 p.m., to work on the budget prior to the beginning of the next regular session.

Mr. Blasé reported that Seal Tite of Missouri, located in Mr. Smith's building at 123 East Main, requested to clean, re-do, re-plant the city parking lot behind their building as a demonstration, so, when anybody came into their office, they could show them that parking lot. A thank you letter will be written as they donated all the materials and labor.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 8:30 p.m.

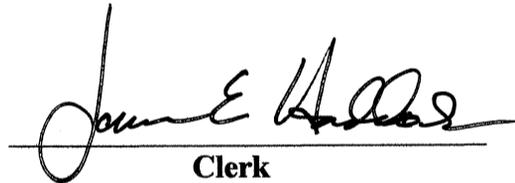
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
August 15, 2006 – 5:30 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Werneke called the meeting to order at 5:34 p.m.

ROLL CALL: Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: Jan Blase, City Manager and Eric Haddock, City Clerk

INFORMAL WORK SESSION

Review 2006-2007 Fiscal Year Budget

The council reviewed various departmental line items, revenues, and expenditures in the proposed 2006-2007 Fiscal Year Budget and discussed the following.

Streets: Mr. Blasé informed the council that we could have a 5 year plan built out half of a year into the second and then Howard Bush Drive would be on schedule; but, La-Z-Boy and South Street wouldn't within that three year time frame if the transportation tax wasn't passed. Howard Bush has enough to finish within a three year span, but La-Z-Boy and South Street would have to go out beyond that; and if we do that then there is not much for maintenance the next year. If we redo a large majority of them, we shouldn't have a high maintenance cost for the first couple of years, so we can do a little more capital items.

South Street Bridge: If the bridge were narrowed from 44 to 36 feet, do away with the round about, improve the intersection to match up with the narrower bridge, it can be done for just under a million dollars. Narrowing the bridge and eliminating the round about will reduce the cost by \$500,000.00.

Discussion followed concerning bridge width; the need for access for emergency services versus the need for a thoroughfare; alternatives including placement of emergency services; traffic volume and infrastructure needs including intersections; adding Highway 59 improvements and a traffic light at Coler & McCord as major projects along with the other major projects.

In response to a question concerning priority of projects, Mr. Blasé indicated the following priorities. 1) The completion of the five year promises on those roads. This winter re-evaluate what needs to be done by looking at every street condition and updating the whole project. 2) The Howard Bush/High Street Extension as we have grant monies for that project. 3) La-Z-Boy Drive and with the council's approval negotiations with the railroad and the highway department to include improving every crossing in town, lights put up, rubberized, no closings at this point and quiet crossings. The cost to pave the road has increased from \$100,000 to \$200,000 and the crossing monies were \$100,000. 4) The stoplight as that is more of a safety issue; and if the DREAM Application is successful, then we may have some help on that. 5) South Street.

It was the consensus of the council to allocate the funds toward the street program as recommended.

Discussion followed concerning a swimming pool leak; Christmas lights; City Hall maintenance and improvements; sale of surplus property; Corp of Engineers flood plain grant for design/engineering of the High School Branch drainage ditch; Neosho Police Department priorities – vehicles and a second station; Senior Citizens Center and the need for expansion; a Wage and Salary Survey; the National Guard Armory; and the Auditorium Renovation Committee.

RECESS: The council recessed at 6:50 p.m.

RECONVENE: The council reconvened in regular session with Mayor Werneke calling the meeting to order at 7:04 p.m.

Council Minutes – August 15, 2006

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance

ROLL CALL Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of August 1, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of August 1, 2006

Roll call vote:

Howard Birdsong - Abstain, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Special Session of August 8, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the minutes of the special session of August 8, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Abstain, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Abstain.

Motion carried.

APPOINTMENTS/VACANCIES

Planning & Zoning Commission

Mayor Werneke announced that two vacancies exist for terms of 3 years beginning in September of 2006 and letters of interest were received from Ms. Louise Estes, Mr. Jay Holweger and Ms. Janet Penn.

Mayor Werneke announced that he would be resigning his seat on the Planning and Zoning Commission which will be expiring in September 2007.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to appoint Ms. Estes and Mr. Holweger to the Planning and Zoning Commission for terms of three years beginning September 2006 and to appoint Ms. Penn to fill the unexpired term ending September 2007.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

TIF Commission

Mayor Werneke announced that two vacancies exist for terms of 4 years beginning September 1, 2006. Letters of interest were received from Mr. Gib Garrow, Mr. Warren Langland and Mr. Wes Nall.

Council Minutes – August 15, 2006

Mayor Werneke informed the council that one member of the TIF Commission, Mr. Jason Trenary, has moved his residency from the State of Missouri. Mr. Trenary was appointed to a 4 year term ending August 31, 2008.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to declare Mr. Trenary's seat on the TIF Commission vacant.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to appoint Mr. Garrow and Mr. Langland to the TIF Commission for 4 year terms beginning September 1, 2006 and to appoint Mr. Nall to the TIF Commission to fill the unexpired term ending August 31, 2008.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - No, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Water Department – Water Flow Meters

The following bid recommendation was presented for consideration.

Memorandum

To: City Manager Jan Blasé
Honorable Mayor Werneke
Councilpersons

From: Mike Hightower
Date: August 10, 2006
RE: Magnetic Flow Meters

Bids were received for 2- magnetic flow meters. These meters will be installed at the two places where the water exits the 20" main going to town. This is the Baxter St. and South St. line. This will enable us to have a more accurate account of where water is going. A bid tabulation is attached.

The low bid came from Mid-West Meters of Illinois. The total price is \$5,279.88.

It is my recommendation to accept this bid from Mid West Meters.

**WATER – FLOW METERS
BID OPENING SUMMARY**

Attached is a compilation of the bids received for flow meters for the Water Department of the City of Neosho.

Council Minutes – August 15, 2006

The bid opening was held at 10:00 a.m., August 8, 2006 in the Conference Room of City Hall. Present for the opening were Stacy Barnes and Kim Messer.

The following bids were received:

- | | |
|--|--|
| Water Products of OK, Inc.
14701 E. 16th Street North
Owasso, OK 74055 | Bid: (2) 10" AMCO Aqua Master Magnetic Flow Meters with grounding rings, potted with electronic remote display with 30' cable, AC or battery powered, with class 150 flanged ends, with encoder output (for use with AMCO Touch Pad or Itron Radio Read ERT) + Pulse Output = \$6350 each. AC Powered with battery backup option - \$101.50 each.
Total: \$12,700.00/ with battery backup \$12,903.00 |
| R.E. Pedrotti Co., Inc.
5855 Beverly Ave.
Suite A
Mission, KS 66202 | Bid: (2) FOXBORO IMT25-SDADB11Z Magnetic Flow Transmitter with 30' signal wire.
(2) FOXBORO 9110A-SIBAINSJ-GM 10" Magnetic Flow Tube with Integral.
1 lot – Documentation & Freight
Total: \$7,068.00 |
| Midwest Meter
P.O. Box 318
Edinburg, IL 62531 | Bid: Badger Magneto flow meter 10" with hard rubber liner, grounding rings, remote mount primo display and 30' of cable. Custom cable lengths available for \$4.00/ft. A spool piece may be necessary to accommodate lay lengths other than 19.7" and 26". = \$2639.94 each
Total: \$5,279.88 |

Discussion followed with Mr. Duane Linch representing the Water Department in the absence of Mr. Hightower. The two meters are not replacements but new meters to be installed on the Baxter Street line and the South Street line.

Mr. Blasé informed the council that funds were budgeted for this purpose and bids for leak detection should be presented at the next council meeting.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to award the bid to Midwest Meter for two 10 inch flow meters in the total amount of \$5,279.88 and authorize the Mayor to execute any required documentation.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

UNFINISHED BUSINESS: There was none.

CORRESPONDENCE

The Neosho Chamber Downtown Events Committee

Mayor Werneke reported that the Downtown Events Committee submitted the following request:

Due to the response of the Big Spring Summer Social on the Square we are requesting additional space for this event. We had originally been approved to use the East and North sides, but due to this response we would appreciate your consideration to add the West side as well. All approved sides will only include the interior/exterior leaving the middle lanes open for emergency vehicles if needed.

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We are excited about the expected turnout for this event and greatly appreciate your consideration in this matter.

There were no objections from the Fire Department or the Police Department and it was the consensus of the council to approve the request.

Request to hold an "open subject" Town Meeting

The City Council received the following letter.

August 6, 2006

The City Council
City of Neosho
City Hall
203 East Spring Street
Neosho, MO 64850

Subject: Formal request for the City of Neosho to hold an "open subject" Town Meeting open to all Citizens of Neosho within the next ninety (90) days.

Dear Sirs and Madame:

We the undersigned, a diverse group of registered voters of the City of Neosho, hereby request that the City of Neosho hold an "open subject" Town Meeting, open to all Citizens of the City of Neosho, within the next ninety (90) days.

Due to the recent change of Administration in the City, we the undersigned are desirous of such an open meeting to allow the people of Neosho to come to gather in a venue of open discussion to express concerns and offer opinions concerning the present and future direction our city will take. We are of the opinion that this type of open meeting will open lines of communication between the Citizens and the City Government that do not current exist and in a depth which is not possible in the course of a normal City Council Meeting.

We seek to put forward no private agenda issues but do seek a complete exchange of thought on many issues.

We would appreciate an expeditious answer to this request.

Respectfully submitted by,

Larry L. Helton
Don Bond
David J. Holley
Comey Parks
Richard Lopez
Jan McG

Melvin Fourn
JK Barber
[Signature]
Helen Casey
Janet Pinst

Received
8/9/06
J&K

Councilman Carnes stated that she was in favor of conducting a town meeting as the council has discussed this in previous work sessions.

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Councilman Birdsong stated that he did not have any problems with a town meeting or sharing information, but it needed to be conducted at the appropriate time and in the appropriate formats; and suggested holding a meeting after the first of the year to allow time to implement the comprehensive plan developed by the citizens of Neosho and allow Mr. Blasé an opportunity of time to show the citizens of Neosho what he and his staff can accomplish.

Councilman Smallwood stated that he agreed with Councilman Birdsong from the perspective of something that needs to happen regularly with specific subjects; but suggested at some point every year there needs to be more of an open meeting, a state of the City to discuss things accomplished during the year and things that were not accomplished over the year that we thought would be done during the year and things that will be worked on the next year or coming years. This allows for an annual update as part of the comprehensive plan. Maybe something like Joplin where they meet in the park and listen to the citizens; but, at least an annual state of the city meeting; and perhaps a quarterly meeting is not a bad idea.

Councilman Persinger stated that he agreed with Councilman Birdsong and Councilman Smallwood that something needs to be done, but that it was too soon to do something and suggested waiting until Spring and do something like Joplin, holding meetings in the park.

Mayor Werneke stated that he was more to the open side of this. He would agree to a meeting of this type as long as it's not meant to be a shooting gallery for council members; as long as we're not looking to the past; as long as we're looking at the present and the future and what the future holds for this city.

Discussion followed.

Mayor Werneke requested that the council come to a decision at the next council meeting.

NEW BUSINESS

Public Hearing regarding an application submitted by Howard and Carla Lankford to rezone the properties located at 1346 and 1350 Ridgewood Road from District R-1, First Dwelling House District to District C-1, Retail Business District

Mayor Werneke opened the public hearing.

Ms. Carla Lankford addressed the council and requested to amend her rezoning application, R-3 rezoning instead of C-1 rezoning. It is her intention to provide assisted living facilities on the property.

Mr. Larry Johns informed the council that one property lies between his property and the property in question and stated his concerns on the basis of traffic issues, water retention and run-off, and the lack of city sewer which would require a sewer lagoon.

Mayor Werneke inquired if water run off restrictions apply to apartment complexes?

Mr. Hays informed the council that, if you disturb more than an acre of land, the State of Missouri requires a permit from the State.

Mr. Blasé informed the council that a subdivision of land requires treatment of storm water, building permits. Residential, R-3, traditionally do not, commercials, ours doesn't but it should. That is all under review. We can't deny a building permit based on storm water problems.

Mr. Dale Marion informed the council that his property lies adjacent to the property in question and stated that he would like to encourage each member of the council and the planning and zoning commission to visit the area we are talking about. It is a nice residential area and it should remain that way. I question a change of this magnitude that there should be a requirement of the city for an engineering firm or someone that covers all the requirements of the state, so that the engineering study would cover questions before it is rezoned.

Mayor Werneke stated that the amended application will need to be returned to planning and zoning as there was no discussion relating to an R-3 Zoning.

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Mayor Werneke closed the public hearing and remanded the amended application back to the Planning and Zoning Commission for reconsideration.

Bill No. 2006-214...Rezoning the properties located at 1346 and 1350 Ridgewood Road from R-1, First Dwelling House District to District C-1, Retail Business District as petitioned by Howard and Carla Lankford...1st Reading

Bill No. 2006-214 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to table Bill No. 2006-214.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Auditorium Committee Report - Steven Kenny

Mr. Kenny presented the following report.

Committee Update

AUDITORIUM RENOVATION

I am here representing a number of very dedicated Neosho citizens and I would like to ask them to stand and be recognized (Nina Eads, Billie Stewart and Larry James). I know that time is tight, so I will keep my comments as brief as possible.

The Auditorium Renovation Committee is to the point of a final plan that we would recommend to both the City Council and to our community of Neosho. We believe as a group that this plan meets the community's needs in many, many ways. It reflects much thought and many considerations. The architects, Kromm, Rikimaru and Johansen are working on pricing the renovations which we believe should come in very close to budget, based on a previous estimate. We do not have final numbers tonight.

We are building a working budget based on projected sales tax revenues and projected event income. Assuming the hiring of an event/building Manager, ongoing maintenance, and a reserve fund for emergencies, our projections would allow the ability to finance up to \$2.8 Million dollars in capital improvements and land acquisition.

We propose keeping the basic floor plan intact. This configuration still has the larger auditorium flanked on each side by Meeting rooms. As briefly as I can describe it: We have attempted to make all facilities work as cohesively as possible for the many functions the community desires. This includes infrastructure, technologies, equipment, and preserving the building's historical integrity.

We have held closely to the Neosho Comprehensive Plan that calls for more Community Theater, Concerts, Meetings and better Banquet Facilities. As a Theater, the drawings show modifications that will provide better lines of sight to the stage from floor seating and from the balcony. We have added a makeup room, restroom, staging area, set shop, and lighting, all of which are necessities for many types of productions. For Banquets, we have opened both side rooms and expanded the East kitchen. There are numerous other improvements that I will leave due to time constraints. I will be happy to go into more detail at the end of this report, if you would like.

The most difficult thing we have dealt with is the need for the building to be multi-functional, particularly in converting from a theater to a dining hall or vice versa. It has been apparent throughout this project that the Auditorium cannot perform both of these functions as well as it would be able to perform either one of them exclusively. While these plans, we believe, will

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greatly improve the functionality of different uses, the need for conversion has dictated some real compromises that impact the overall design.

To solve this limitation, our recommendation includes a second phase. We recommend purchasing the First Baptist Church for the land. It is currently on the market and we have factored it into our budget. Once the initial debt is sufficiently reduced, expand the Auditorium to the west. For example, an addition with a bank of meeting/dining rooms would relieve pressures on the main building, allow it to become a beautiful Theater and allow separate events to be scheduled simultaneously. We believe that acquiring this land is critical to the Auditorium's future. We recommend that the land be used for parking and a green area which will improve the site and improve access to the building.

Our next step is to finalize our numbers, hold public hearings and work closely with you and the City Administration to make sure that our recommendations are sound, then get started with the updates. Barring any delays, we anticipate reaching our goal to begin work somewhere in the month of February. So, we believe we are on target for the City to close the Auditorium on January 31st.

This has been a long process and we apologize for the time it seems to take. But we know that, in the long run, thorough planning will keep costs down and yield an Auditorium that will serve our community for many years to come.

The Auditorium Renovation Committee,
Steve Kenny, Chair

Discussion followed regarding removal of existing partitions, the portable stage, exits from the building, the mural in the West Room, elevators, proposed use of the property recommended for purchase, and restroom facilities.

Bill No. 2006-215...Canvassing the returns of the special election held Tuesday, August 8, 2006, and declaring the results thereof...1st Reading

Bill No. 2006-215 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to pass Bill No. 2006-215 on first reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Bill No. 2006-216...Amending Section 705.450, Chapter 705: Sewers and Sewage Disposal, of the Code of Ordinances; Providing for Monthly Charges for Sewer Service...1st Reading

Bill No. 2006-216 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Bill No. 2006-216 on first reading.

Discussion followed concerning the base rate, the cost of living increase, and bond requirements.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

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Bill No. 2006-217...Amending Section 710.180, Chapter 710: Water, of the Code of Ordinances; Providing for Water Rates...1st Reading

Bill No. 2006-217 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-217 on first reading.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-218...Amending Section 500.050, Paragraph B, Subparagraph 5, Chapter 500: Buildings and Building Regulations, of the Code of Ordinances; Providing for Fees...1st Reading

Bill No. 2006-218 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-218 on first reading.

Discussion followed with Mr. Blasé explaining that the increase is in user fees to ensure that the taxes of the general fund, that people pay, do not go to people who require special services. These services are not used by everybody and these are activities that should somewhat pay for themselves.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Bill No. 2006-219...Amending Section 505.110, Chapter 505: Electrical Code, of the Code of Ordinances; Providing for Certification of Inspection and Approval - Fees...1st Reading

Bill No. 2006-219 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-219 on first reading.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Bill No. 2006-220...Amending Section 510.080, Chapter 510: Plumbing, of the Code of Ordinances; Providing for Inspections - Fees...1st Reading

Bill No. 2006-220 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-220 on first reading.

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Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Bill No. 2006-221...Amending Section 515.030, Chapter 515: Mechanical Code, of the Code of Ordinances; Providing for Permit Fees – Charge for Additional Inspections...1st Reading

Bill No. 2006-221 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-221 on first reading.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Adopt Resolution Bill 2006-8...Setting certain regulations and fees for the Neosho Municipal Golf Course

Resolution Bill No. 2006-8 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to table Resolution Bill No. 2006-8.

Discussion followed with Councilman Birdsong informing the council that this would enable the Golf Course Committee further time for review of the resolution and review of the management contract, also on the agenda.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Adopt Resolution Bill 2006-9...Setting certain regulations, fees and rental agreement terms for the Lampo Community Center.

Resolution Bill No. 2006-9 for Resolution 54-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to adopt Resolution Bill No. 2006-9.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider Golf Course Management Agreement between the City of Neosho and Justin Beck

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to postpone consideration of the agreement.

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Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

REPORT OF CITY OFFICERS

There were no reports.

VISITORS BUSINESS

There was no Visitors Business.

APPROPRIATIONS

Appropriation Ordinance No. 2189...1st Reading

Master Fund Appropriation Ordinance No. 2189 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2189 in the amount of \$4,000.00 on 1st Reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Appropriation Ordinance No. 2189...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2189 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2189 in the amount of \$4,000.00 on 2nd & 3rd Readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Appropriation Ordinance No. 2190...1st Reading

Master Fund Appropriation Ordinance No. 2190 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2190 in the amount of \$414,982.11 on 1st Reading.

Discussion followed.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

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Appropriation Ordinance No. 2190...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2190 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2190 in the amount of \$414,982.11 on 2nd & 3rd Readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 8:44 p.m.

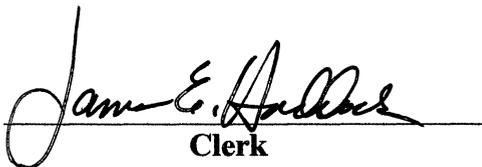
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

**MINUTES
NEOSHO CITY COUNCIL
September 5, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO**

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of August 15, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of August 15, 2006.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

APPOINTMENTS/VACANCIES

Airport Industrial Development Board

Mayor Werneke announced that two vacancies will exist for terms of 3 years beginning Oct. 1, 2006 due to the expiring terms of Howard Birdsong and Jim Masoner.

Discussion followed concerning Councilman Carnes' suggestion to consider changing the composition of the board.

Economic Development Sales Tax Committee

Mayor Werneke announced that one vacancy will exist for a term of 3 years beginning Oct. 1, 2006 due to the expiring term of Ray Stipp.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Street Department – Asphalt overlay of Patterson St., Fairground Road, Main St., Washington St., McQuarry St., Eliff, and Adams St.

The following recommendation was presented for consideration:

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8/31/06

TO: Honorable Mayor, Jeff Werneke
Councilpersons
FROM: Mike Hightower
RE: Street overlaying

We have received three bids for the asphalt overlay on Fairground Rd and Patterson St from Fairground Rd to Neosho Blvd.

Swift Construction of Neosho was the low bidder at \$27,130.67. I recommend that we award the bid to Swift Construction.

There is an additional \$45,000.00 in the street capital account for street repair. I would like to extend Swift Construction's bid to include additional streets at the same price per ton. These streets would be as follows:

	<u>Estimated Tons</u>	<u>Cost</u>
Main St from Jefferson to High	355.5	\$ 14,400.00
Washington St from Rockhill to Hill	203.5	\$ 8,248.00
McQuarry St	155.5	\$ 6,300.00
Eliff	200	\$ 8,100.00
Adams from College to High	178	<u>\$ 7,200.00</u>
		\$44,248.00

Mike Hightower
Director Public Works

**PATTERSON/ FAIRGROUND RD. OVERLAY
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the overlay of Patterson and Fairground Roads for the Street Dept. of the City of Neosho.

The bid opening was held at 10:00 a.m., August 17, 2006 in the Conference Room of City Hall. Present for the opening were Colin Swift with Swift Construction, Adam Boswell with Blevin's Asphalt, Cody with APAC, Ryan Long, and Carla Cummings, and Kim Messer.

The following bids were received:

Swift Construction Co. Inc. Bid: Overlay per specs \$27,130.67
225 E. Main
Neosho, MO 64850

APAC Missouri, Inc. Bid: Overlay per specs \$34,471.50
P.O. Box 1187
Springfield, MO 65802

Blevin's Asphalt Bid: Overlay per specs \$35,036.00
P.O. Box 230
Mount Vernon, MO 65712

Discussion followed concerning the omission of the additional streets in the bid specifications.

Mr. Hays addressed the council stating that I am uncomfortable with our bid specs going out for Fairground and Patterson Road, and we didn't bid the others. I would have a recommendation of either accepting the initial bid, Swift, and bidding out the others; or in the alternative rejecting all bids. I would feel more comfortable that we actually get this bid out. Discussion followed.

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Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to award the bid to Swift Construction for the overlay of Fairground Road and Patterson Street as presented and authorize the Mayor to execute a contract agreement for same.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-215...Canvassing the returns of the special election held Tuesday, August 8, 2006, and declaring the results thereof...2nd & 3rd Readings

Bill No. 2006-215 for Ordinance No. 256-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-215 on second and third readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Bill No. 2006-216...Amending Section 705.450, Chapter 705: Sewers and Sewage Disposal, of the Code of Ordinances; Providing for Monthly Charges for Sewer Service...2nd & 3rd Readings

Bill No. 2006-216 for Ordinance No. 257-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-216 on second and third readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Bill No. 2006-217...Amending Section 710.180, Chapter 710: Water, of the Code of Ordinances; Providing for Water Rates...2nd & 3rd Readings

Bill No. 2006-217 for Ordinance No. 258-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-217 on second and third readings.

Discussion followed concerning Councilman Carnes' suggestion to consider eliminating the 3rd tier of water rates for users of over 100,000 gallons at a charge of \$1.80 per gallon per month and apply the 2nd tier of rates at a charge of \$2.68 per gallon per month in excess of the first 2,000 gallons used.

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Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - No,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-218...Amending Section 500.050, Paragraph B, Subparagraph 5, Chapter 500: Buildings and Building Regulations, of the Code of Ordinances; Providing for Fees...2nd & 3rd Readings

Bill No. 2006-218 for Ordinance No. 259-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-218 on second and third readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Bill No. 2006-219...Amending Section 505.110, Chapter 505: Electrical Code, of the Code of Ordinances; Providing for Certification of Inspection and Approval - Fees...2nd & 3rd Readings

Bill No. 2006-219 for Ordinance No. 260-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-219 on second and third readings.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Bill No. 2006-220...Amending Section 510.080, Chapter 510: Plumbing, of the Code of Ordinances; Providing for Inspections - Fees...2nd & 3rd Readings

Bill No. 2006-220 for Ordinance No. 261-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-220 on second and third readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Bill No. 2006-221...Amending Section 515.030, Chapter 515: Mechanical Code, of the Code of Ordinances; Providing for Permit Fees – Charge for Additional Inspections...2nd & 3rd Readings

Bill No. 2006-221 for Ordinance No. 262-2006 was read by title only by Mr. Hays.

Council Minutes – September 5, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-221 on second and third readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

CORRESPONDENCE

Request to hold an “open subject” Town Meeting

Mayor Werneke re-opened the discussion from the last council meeting concerning the request for the City of Neosho to hold an "open subject" Town Meeting open to all Citizens of Neosho.

Rev. A. W. Lavender addressed the council restating his request for open subject town hall meetings on a regular basis.

Discussion followed as to the format, date (before Thanksgiving), and place to hold the meeting (Lampo Community Center), all of which will be finalized at a later date.

Kate Rhoades – South Street Overpass Project

Ms. Kate Rhoades was present and addressed the letter which she had presented to the council, which was published in the newspaper, requesting that the city not spend funds on city streets, but spend any funds on the South Street Overpass Project.

Ms. Thelma Brown addressed the council and expressed her wish for the completion of the South Street overpass.

Discussion followed between the council members and city manager and those citizens in attendance at the meeting concerning the South Street overpass, street improvements, completion of La-Z-Boy Drive in Morse Park, railroad crossing closings, maintenance of railroad crossings, emergency response time to the Eastern part of the city, and the Howard Bush Drive Extension.

NEW BUSINESS

Bill No. 2006-222...Rezoning the properties located at 1346 and 1350 Ridgewood Road from District R-1, First Dwelling House District to District R-3, Apartment House District as petitioned by Howard and Carla Lankford...1st Reading

Mayor Werneke announced that he had informed Ms. Lankford that, due to the fact she would not be present, the bill will be considered on first reading at the next council meeting.

Public Hearing regarding an application submitted by Murrel W. Nall, Vera L. Nall, Billy Williams, and Teri L. Williams to vacate all that part of a public walkway extending from Northwest Boulevard to Saddle Lane in Western Hills Addition to the City of Neosho, Newton County, Missouri

Mayor Werneke opened the public hearing.

Mr. Nall addressed the council and stated that this was a walkway platted years and years ago. It is a non-existent walkway. It is grown up in brush. We are just asking for that particular walkway to be vacated.

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Mayor Werneke noted that the council approved a similar request in Western Hills last year.

There being no further comments from the public, Mayor Werneke closed the public hearing.

Bill No. 2006-223...Vacating all of a public walkway extending from Northwest Boulevard to Saddle Lane in Western Hills Addition to the City of Neosho, Newton County, Missouri, as petitioned by Murrel W. Nall, Vera L. Nall, Billy Williams, and Teri L. Williams...1st Reading

Bill No. 2006-223 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to pass Bill No. 2006-223 on first reading. Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger – Yes, Jim Smallwood – Yes.

Motion carried.

Public Hearing regarding adoption of the 2006-2007 Fiscal Year Budget

Mayor Werneke opened the public hearing.

There being no comments from the public, Mayor Werneke closed the public hearing.

Bill No. 2006-224...Adopting the 2006-2007 Fiscal Year Budget...1st Reading

Bill No. 2006-224 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to pass Bill No. 2006-224 on first reading.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Consider application submitted by Suzanne M. Howsmon d/b/a as Sam's Cellar, located at 101 N. Wood Street for a Liquor by the Drink - Restaurant Bar license.

Ms. Howsmon was present and addressed the council stating that she was asking for a license to sell liquor by the drink for Sam's Cellar.

Mayor Werneke inquired as to how this differed from a previous action of the council and Mr. Haddock answered that at the previous council meeting the council authorized a letter stating that the council had no objections to the issuance of a license, whereas this action will approve the issuance of a license.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to approve the issuance of a liquor license as presented.

Discussion followed with Councilman Carnes inquiring if the application met the requirement as to the distance from schools or churches and Mr. Hays informing the council the application met the distance requirement.

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Roll call vote:

RoseMarie Carnes - Abstain, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Adopt Resolution Bill 2006-10...Setting certain regulations and fees for the Neosho Municipal Golf Course

Resolution Bill No. 2006-10 for Resolution 55-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to adopt Resolution Bill No. 2006-10.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Consider Golf Course Management Agreement between the City of Neosho and Justin Beck

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to approve the agreement and authorize the Mayor to execute same.

Discussion followed.

Roll call vote:

Jim Smallwood - Abstain, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Consider Engineering Services Contract for airport pavement sealing between Bucher, Willis, & Ratliff Corp. and the City of Neosho

Mr. Blasé informed the council that Bucher, Willis, & Ratliff are our airport engineers and they have been with us as far back as I can find in the files. The next thing on the improvement list is the slurry seal of the asphalt surfaces. The bid for engineering is \$11,050.00 and I would recommend that we approve the contract. The fee is set by the State.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the agreement in the amount of \$11,050.0 and authorize the city manager to execute same.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

REPORT OF CITY OFFICERS

There were no reports.

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VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2191...1st Reading

Master Fund Appropriation Ordinance No. 2191 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2191 in the amount of \$293,730.15 on 1st Reading.

Roll call vote: Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes. Motion carried.

Appropriation Ordinance No. 2191...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2191 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2191 in the amount of \$293,730.15 on 2nd & 3rd Readings.

Roll call vote: RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes. Motion carried.

Appropriation Ordinance No. 2192...1st Reading

Master Fund Appropriation Ordinance No. 2192 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2192 in the amount of \$64,899.20 on 1st Reading.

Roll call vote: Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes. Motion carried.

Appropriation Ordinance No. 2192...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2192 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2192 in the amount of \$64,899.20 on 2nd & 3rd Readings.

Roll call vote: Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes. Motion carried.

Appropriation Ordinance No. 2193...1st Reading

Master Fund Appropriation Ordinance No. 2193 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2193 in the amount of \$354.33 on 1st Reading.

Roll call vote: Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes. Motion carried.

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Appropriation Ordinance No. 2193...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2193 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2193 in the amount of \$354.33 on 2nd & 3rd Readings.

Roll call vote: Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes. Motion carried.

CLOSED MEETING:

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to close the meeting pursuant to Section 610.021(2).

Roll call vote: RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke – Yes, Howard Birdsong - Yes. Motion carried.

Mayor Werneke closed the meeting at 8:47 p.m.

The meeting reconvened in open session at 9:47 p.m. and Mayor Werneke announced the council conferred with the city attorney and no action nor vote was taken

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 9:47 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
September 19, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Werneke called the meeting to order at 7:06 p.m.

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Jim Smallwood, and Jeff Werneke. Absent: Matthew Persinger. Councilman Persinger was excused. Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of September 5, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the minutes of the regular session of September 5, 2006. Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of September 5, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the minutes of the closed session of September 5, 2006. Roll call vote:

RoseMarie Carnes-Yes, Jim Smallwood-Yes, Jeff Werneke-Yes, Howard Birdsong-Abstain.

Motion carried.

PROCLAMATIONS: Mayor Werneke issued the following proclamations

ACTIVATE NEOSHO DAY

WHEREAS: The United States is facing a major health crisis. Over the past 20 years, unhealthy behaviors, including physical inactivity and unhealthy eating, have led to an epidemic of obesity and related chronic disease in the United States; and

WHEREAS: Today, obesity is associated with a series of chronic health conditions – including Type 2 diabetes, hypertension, heart disease, stroke, breast cancer, colon cancer, gallbladder disease, arthritis, sleep disturbances and breathing problems – putting the United States in the middle of a serious health crisis and reducing the quality of life for millions of Americans; and

WHEREAS: The United States has an increasing population of individuals who want to lead a healthy lifestyle, but struggle to do so; and

WHEREAS: The YMCA movement, the nation's oldest and largest community-based organization with 2,617 YMCAs, 20.2 million members and a mission dedicated to health and wellness, is uniquely qualified and positioned to impact our country's obesity-related health crisis by promoting and supporting healthier living for millions of Americans; and

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WHEREAS: Today, Freeman Southwest Family YMCA celebrates its participation in YMCA Activate America™, the YMCA movement's national initiative that is rallying YMCAs across the country to further enhance their service and support to kids, adults and families who want to lead a healthy lifestyle, but struggle to do so; and

WHEREAS: Freeman Southwest Family YMCA is committed to supporting kids, adults and families of Neosho, MO in their journey to create and sustain a healthy lifestyle; and

WHEREAS: Freeman Southwest Family YMCA is committed to being an integral part of our community's efforts to make long-lasting changes that support healthy living; and

WHEREAS: Freeman Southwest Family YMCA is committed to collaborating with community partners to magnify our impact.

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim that this 23rd day of September 2006 as Activate Neosho Day in Neosho, MO and do hereby thank Freeman Southwest Family YMCA for its leadership, service and commitment to the citizens of Neosho, MO in promoting healthy living.

/s/Jeff Werneke, Mayor

CONSTITUTION WEEK

WHEREAS: It is the privilege and duty of the American people to commemorate the two hundred nineteenth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE, I, Jeff Werneke as Mayor of Neosho, Missouri, do hereby proclaim the week of September 17 through 23 as **CONSTITUTION WEEK** and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 19th day of September of the year of our Lord Two Thousand Six

/s/Jeff Werneke, Mayor

APPOINTMENTS/VACANCIES

Airport Industrial Development Board

Mayor Werneke announced that two vacancies exist for terms of 3 years beginning October 1, 2006, and that letters of interest were received from Mr. Jim Masoner.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to re-appoint Mr. Masoner to the board for a term of 3 years beginning October 1.

Discussion followed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Without objection, Mayor Werneke re-appointed Councilman Birdsong to the board for a term of 3 years beginning October 1.

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Economic Development Sales Tax Committee

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning October 1, 2006, and that letters of interest were received from Mr. Ray Stipp.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to re-appoint Mr. Stipp to the board for a term of 3 years beginning October 1.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Ms. Thelma Brown was recognized and placed on the agenda and without objection, Visitors Business was forward on the agenda.

VISITORS BUSINESS

Ms. Thelma Brown – South Street Overpass

Ms. Brown addressed the council and questioned why funds were being used for streets instead of completing the South Street Overpass.

Discussion followed. It was noted that the overpass project could not be completed at this time due to a lack of funds to complete the project which now would cost 1.5 million dollars. Additionally, the voters turned down a sales tax increase to build the overpass. The issue will again be submitted to the voters.

BIDS

Fire Department – Rescue Truck

The following recommendation was presented for consideration.

Members of the Council and City Manager Jan Blase,

This letter in regards to the recent rescue truck bids we received and my recommendation for purchase.

It is my recommendation that we purchase the truck from Hays Fire Apparatus (Rosenbauer) for \$192,676.

Their bid met all specifications that we had requested. The lowest bid was Summit Fire Apparatus at \$164,056 but it did not meet our specifications. They left out the Rescue Equipment and Breathing Apparatus, which we would have to go out for bid again on the this equipment and have it shipped to them to be placed on the apparatus. Also they did not send any financing plans as ask for in the bid process.

I have enclosed several other papers to show a better break down of the financing, the bid amounts for all and the breakdown of the specifications.

If you have any questions, please let me know.

Thank you,

Mike Eads
Deputy Chief

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**FIRE DEPARTMENT – FIRE RESCUE VEHICLE
BID OPENING SUMMARY**

Attached is a compilation of the bids received for a fire rescue vehicle for the Fire Department of the City of Neosho.

The bid opening for the specs was held at 10:00 a.m., August 16, 2006 in the Conference Room of City Hall. Present for the opening were Mike Eads, Greg Hickman, and Kim Messer.

The bid opening for the prices was held at 9:00 a.m. August 29, 2006 in the Conference Room of City Hall. Present for the opening were Kelly Tucker from Rescue Vehicles of Iowa, Greg Hickman, Mike Eads, and Becky Hannah.

The following bids were received:

Jon's Mid America Fire Apparatus 4449 S. Farm Road 205 Rogersville, Mo 65742	KME Truck Bid: \$192,859
Alexis Fire Equipment Co. 109 East Broadway Alexis, IL 61412	Alexis Truck Bid: \$217,560
Rescue Vehicles of Iowa 909 So East Street Rock Rapids, IA 51246	RVI Truck Bid: \$212,679
Precision Fire Apparatus 524 South Hwy 5 Camdenton, MO 65020	PFA Truck Bid: \$198,825
Summit Fire Apparatus P.O. Box 17128 Edgewood, KY 41017	Summit Truck X2 Bid: \$164,056
Hay's Fire Equipment 127 E. 8th Street Hays, KS 67601	Rosenbauer Truck Bid: \$192,676

Chief Hickman addressed the council and stated that his personal preference was to award the bid to Precision Fire Apparatus, Camdenton, Missouri.

Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to award the bid to award the bid for the rescue truck to Hays Fire Apparatus (Rosenbauer) in the amount of \$192,676 and authorize the Mayor to execute.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Street Department – Asphalt overlay of Main St., Washington St., McQuarry St., Eliff, and Adams St..

The following recommendation was presented for consideration.

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To: Honorable Mayor Jeff Werneke
Council Persons

From: Mike Hightower

Re: Street Overlay

We received bids for overlaying the following streets:

1. Main St
2. McQuarry
3. Eliff
4. Washington St
5. Adams St

The bidders for this project were:

- | | | |
|----|------------------------------|-------------|
| 1. | Swift Construction | \$46,700.00 |
| 2. | AP AC-Missouri, Inc. | \$63,604.80 |
| 3. | Blevins Asphalt Construction | \$62,255.00 |

I recommend going with Swift Construction in the amount of \$46,700.00

Mike Hightower
Public Works Director

**STREET DEPARTMENT – STREET OVERLAY
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the overlay of Main, McQuarry, Eliff, Washington, and Adams Streets for the Street Dept. of the City of Neosho.

The bid opening was held at 10:00 a.m., September 14, 2006 in the Council Chambers of City Hall. Present for the opening were Cody with Apac, Efton Stokes with Blevins, Colin Swift with Swift Construction, Carla Cummings, and Kim Messer.

The following bids were received:

APAC-Missouri, Inc. P.O. Box 1187 Springfield, MO 65801	Bid: Overlay per specs = \$63,604.80
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Blevin's Asphalt P.O. Box 230 Mt. Vernon, MO 65712-0230	Bid: Overlay per specs = \$62,255.00
---	--------------------------------------

Swift Construction 225 E. Main Neosho, MO 64850	Bid: Overlay per specs = \$46,700.00
---	--------------------------------------

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to award the bid for asphalt overlays on the stated streets to Swift Construction in the amount of \$46,700.00 and authorize the Mayor to execute any documents.

Discussion followed.

Roll call vote:

RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

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Water Department - Leak Detection Survey

The following recommendation was presented for consideration.

To: Honorable Mayor Jeff Werneke
Council Persons

From: Mike Hightower

Re: Water Leak Survey

We recently went out for bids on the water leak survey. The bids we received back are as follows:

Westrum Leak Detection:

\$65.00 per hour \$100 per day setup charge maximum cost of \$12,400.00

Tri-State Engineers:

\$33,500.00

I recommend going with Westrum Leak Detection.

Mike Hightower
Public Works Director

**DRAINAGE DEPARTMENT – LEAK DETECTION SURVEY
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the leak detection survey for the D&M Dept. of the City of Neosho.

The bid opening was held at 10:00 a.m., September 13, 2006 in the Lobby of City Hall. Present for the opening were Carla Cummings and Kim Messer.

The following bids were received:

Westrum Leak Detection 2028 4th Street Boone, IA 50036	Bid: Leak detection survey per specs \$100 setup charge per day and \$65.00 an hour Maximum cost \$12,400
Tri-State Engineers P.O. Box 1867 Joplin, MO 64802	Bid: Leak survey and PVC System Assessment Total Cost \$33,500

Mr. Hightower informed the council that this survey is addition to the yearly leak detection survey conducted by Westrum Leak Detection and is a more intensive survey. Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to award the bid to Westrum Leak Detection for leak detection survey in the amount of \$100.00 setup charge per day and \$65.00 an hour not to exceed \$12,400.00 and authorize the Mayor to execute.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

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Water Department – Magnetic Flow Meter

The following recommendation was presented for consideration.

Memorandum

To: City Manager Jan Blasé
Honorable Mayor Werneke
Councilpersons

From: Mike Hightower

Date: September 14, 2006

RE: Magnetic Flow Meter

Bids were received for a magnetic flow meter. This meter will be installed at the Crowder Pump Station on Doniphan Dr. This meter will give us a better measurement of the flow of water coming from that area. A bid tabulation is attached.

The low bid came from Mid-West Meters of Illinois. The total price is \$6,145.75.

It is my recommendation to accept this bid from Mid West Meters.

Mike Hightower
Public Works Director

**WASTEWATER DEPARTMENT – FLOW METER
BID OPENING SUMMARY**

Attached is a compilation of the bids received for a flow meter for the Wastewater Dept. of the City of Neosho.

The bid opening was held at 10:00 a.m., September 14, 2006 in the Council Chambers of City Hall. Present for the opening were Stacy Barnes and Kim Messer.

The following bids were received:

Midwest Meter, Inc. P.O. Box 318 Edinburg, IL 62531	Bid: Badger Magnetic Flow 20” with hard rubber liner, grounding rings, remote mount primo display and 100’ of cable = \$6,145.75
Water Products of OK, Inc. 14701 E. 116 th St. Owasso, OK 74055	Bid: 20” AMCO Aqua Master with remote display IP68 electronic display plus potting acor battery power 120’ of cable = \$11,168.94
R.E. Pedrotti Company 33 Commercial St. Foxboro, MA 02035-2099	Bid: Foxboro magnetic flow tube and transmitter with digital display, 100’ signal wire, 1 lot freight = \$8,193.00

Discussion followed with Mr. Hightower informing the council that the meter would be placed on the 20 inch Crower line. The two meters recently purchased were to be placed on the Baxter line and the South Street line. The meters will allow monitoring water flow to different areas in the city and give a better idea of where the water is going.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to award the bid for a magnetic flow meter to Midwest Meter, Inc. in the amount of \$6,145.75 and authorize the Mayor to sign any necessary documents. Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-223...Vacating all of a public walkway extending from Northwest Boulevard to Saddle Lane in Western Hills Addition to the City of Neosho, Newton County, Missouri, as petitioned by Murrel W. Nall, Vera L. Nall, Billy Williams, and Teri L. Williams...2nd & 3rd Readings

Bill No. 2006-223 for Ordinance No. 263-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-223 on second and third readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Bill No. 2006-224...Adopting the 2006-2007 Fiscal Year Budget...2nd & 3rd Readings

Bill No. 2006-224 for Ordinance No. 264-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-224 on second and third readings.

Roll call vote:

RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CORRESPONDENCE

Request to hold an “open subject” Town Meeting

It was the consensus of the council to try and set a date for a meeting sometime before Thanksgiving. The meeting will be announced when the date is determined.

Letter of Appreciation

Mayor Werneke informed the council that Mr. Blasé had received a letter of appreciation for the mowing and cleanup of Big Spring Park and Morse Park.

NEW BUSINESS

Bill No. 2006-222...Rezoning the properties located at 1346 and 1350 Ridgewood Road from District R-1, First Dwelling House District to District R-3, Apartment House District as petitioned by Howard and Carla Lankford...1st Reading

Bill No. 2006-222 was read by title only by Mr. Hays.

Mayor Birdsong requested Ms. Lankford to address the use of property.

Ms. Lankford informed the council that use of the property is to put up some apartment houses.

Motion was made by Councilman Birdsong and seconded by Councilman Carnes to pass Bill No. 2006-222 on first reading.

In response to a question concerning the recommendation from the Planning and Zoning Commission to deny the rezoning, Mr. Blasé informed the council that the commission does have a statutory authority and it would take a super majority to override one of their decisions.

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Roll call vote:

Jim Smallwood - No, Jeff Werneke - Abstain, Howard Birdsong - No, RoseMarie Carnes - No.

Motion failed.

Bill No. 2006-225...Declaring certain real property as surplus and setting forth the method for disposing of same...1st Reading

Bill No. 2006-225 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to pass Bill No. 2006-225 on first reading.

Mr. Blasé informed the council the properties to be declared surplus were the two houses on Burr Crossing, the property located behind those two houses which was originally a part of those two properties, the property located on Kodiak Road, and the property on South Street. The council had authorized the selection of a realtor and Spicer Realty, the low bidder, was selected by the management team at four percent. Discussion followed.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-226...Declaring certain personal property as surplus and setting forth the method for disposing of same...1st Reading

Bill No. 2006-226 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to pass Bill No. 2006-226 on first reading.

Mr. Blasé informed the council that when the city started removing the teller cages from the lobby there were several requests to purchase the cages and as a result then all departments were asked to identify any additional items of surplus property.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Resolution Bill No. 2006-11...Authorizing a project application be prepared and submitted to The Department of Natural Resources, Division of State Park's Grants Management Section for the Land and Water Conservation Fund (LWCF) Grant Round FY07

Resolution Bill No. 2006-11 for Resolution 56-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to adopt Resolution Bill No. 2006-11.

Mr. Blasé informed the council the grant application was for repair and maintenance of the swimming pool.

Roll call vote:

RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

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Consider Agreement between the City of Neosho and Kromm, Rikimaru & Johansen, Inc. for Architectural Services

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to approve the agreement between the City of Neosho and Kromm, Rikimaru & Johansen, Inc. for architectural services, with a change on page 11 to designate the paragraph between 9.4 and 9.6 as paragraph 9.5, and authorize the Mayor to execute the agreement.

Discussion followed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Consider Marketing Agreement between the City of Neosho and the Mullikin Agency

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the marketing agreement between the City of Neosho and the Mullikin Agency, in the amount of \$22,857.00, and authorize the Mayor to execute the agreement.

Discussion followed with Mr. Blasé explaining the selection process for these professional services, which were budgeted with economic development funds, and the purpose of the agreement.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes.

Motion carried.

REPORT OF CITY OFFICERS

Neosho Fire Department – Emergency Purchase

Chief Hickman informed the council that the tires on the ladder truck need replacement and for safety reasons this needs to be done as soon as possible. Chief Hickman presented the following recommendation.

It has been brought to my attention that we need to replace the front tires and one set of rear tires on Ladder 1. One set of rear tires was purchase last year for this vehicle. The others are original tires that came on the vehicle in 1995 and are showing a great amount of wear.

Lt. Ledford has priced tires for the vehicle and has provided me with the following amounts.

Front tires:

Wiseman Tire:	Wanlee brand	\$389.95 each	\$ 779.90 total
Craigs Tire:	Goodyear brand	\$569.35	\$1138.70 total
	Firestone brand	\$518.60	\$1036.00 total
G&R Tire:	Wanlee brand	\$359.20	\$718.40 total

Rear tires:

Wiseman Tire:	Wanlee brand	\$369.95 each	\$1479.80 total
Craigs Tire:	Kumho brand	\$343.26 each	\$1373.04 total
G&R Tire:	Kumho brand	\$369.20 each	\$1476.80 total

Council Minutes – September 19, 2006

We would like to purchase all the tires of the same brand from Wiseman Tire for a total of \$2,259.70

Discussion followed with Mr. Blasé informing the council that although prices were solicited by telephone, rather than by sealed bids, the council could approve the purchase at this time due to safety concerns.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the purchase of six tires from Wiseman Tire in the \$2,259.70 and authorize the Mayor to execute anything necessary.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

City Hall Roof – Emergency Replacement of Roof

Mr. Blasé informed the council that another emergency purchase was needed to repair and replace the roof due to occurring leaks.

Mr. Pim informed the council that a recent repairs of a roof leak resulted in more leaks at other locations due to the fact that previous repairs had not been done correctly taking into consideration that the roof was a vulcanized rubber. Taylor Roofing LLC, the company that correctly fixed the last leak has submitted a bid of \$18,584.76 to repair and replace the roofing down to the metal decking. It will be a rubber roof with a 10 year manufacturer's warranty on the product. The original roof came with a 10 year warranty which expired in 2000. The city is in discussion with the insurance company as to what the company will cover on water damage and if it will cover any portion of the replacement costs.

Discussion followed concerning the condition of the roof.

Mr. Blasé informed the council that bids were not solicited. Taylor Roofing was the low bidder on the previous repair by a substantial amount and in talking with other professionals this seemed to be a very reasonable bid for the type of roof we have.

Mr. Blasé informed the council that the roof leak has become more and more problematic and there is a need to repair the roof under emergency measures.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to authorize payment to Taylor Roofing LLC in the amount of \$18,584.76 for the replacement of the roof.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Departmental Meetings

Mr. Blasé informed the council that city departments will be developing plans and meeting with architects and engineers, depending upon their need, and present that by next spring as a staff component of the comprehensive plan. The water department should include a study of the water rates and comparison of their rates to other cities within their plan.

Airport Fuel Truck

An airport fuel truck has been located for the price of \$24,500.00 and is included in tonight's appropriations.

Council Minutes – September 19, 2006

Tim Hardy

Mayor Werneke remarked on the newspaper article which covered the ceremony in Denver, Colorado, honoring fallen firefighters, which included Neosho's former firefighter, Tim Hardy.

Councilman Smallwood reported that he had received a thank you letter from one of the participants for the support given by the City of Neosho.

APPROPRIATIONS

Appropriation Ordinance No. 2194...1st Reading

Master Fund Appropriation Ordinance No. 2194 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2194 in the amount of \$362,385.09 on 1st Reading.

Discussion followed concerning contractual obligations between the Newton County Senior Citizens and the Area Agency on Aging.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Appropriation Ordinance No. 2194...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2194 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2194 in the amount of \$362,385.09 on 2nd & 3rd Readings.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes.

Motion carried.

Appropriation Ordinance No. 2195...1st Reading

Master Fund Appropriation Ordinance No. 2195 was read by title only by Mr. Hays

Motion was made by Councilman Birdsong and seconded by Councilman Carnes to pass Master Fund Appropriation Ordinance No. 2195 in the amount of \$24,500.00 on 1st Reading.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Appropriation Ordinance No. 2195...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2195 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2195 in the amount of \$24,500.00 on 2nd & 3rd Readings.

Council Minutes – September 19, 2006

Roll call vote:

RoseMarie Carnes - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

CLOSED MEETING:

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to close the meeting pursuant to Section 610.021(2) and Section 610.021(3) RSMo.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Mayor Werneke closed the meeting at 8:50 p.m.

The meeting reconvened in open session at 10:15 p.m. and Mayor Werneke announced a vote was taken to authorize the sale of Spec Building # 1 and personnel was discussed with no action taken.

Motion was made by Councilman Birdsong and seconded by Councilman Carnes to authorize Neosho Area Business & Industrial Foundation, Inc. (NABIFI) to execute, on behalf of the City, the sale of the Spec Building #1.

Roll call vote:

Jeff Werneke-Yes, Howard Birdsong-Yes, RoseMarie Carnes-Yes, Jim Smallwood-Abstain.

Motion carried.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 10:16 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
October 3, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

A quorum being present, Mayor Werneke called the meeting to order at 7:05 p.m.

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Councilman Persinger gave the opening prayer and Mayor Werneke led the Pledge of Allegiance

ROLL CALL

Present: RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Howard Birdsong was absent and was excused by the council.

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of September 19, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the minutes of the regular session of September 19, 2006.

Roll call vote:

RoseMarie Carnes-Yes, Matthew Persinger-Abstain, Jim Smallwood-Yes, Jeff Werneke-Yes.

Motion carried.

Closed Session of September 19, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the minutes of the closed session of September 19, 2006

Roll call vote:

Matthew Persinger-Abstain, Jim Smallwood-Yes, Jeff Werneke-Yes, RoseMarie Carnes-Yes.

Motion carried.

PROCLAMATIONS

Mayor Werneke issued the following proclamation:

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Guthery's Machine Shop, Inc. began its operations in Neosho in 1995 and has been a part of Neosho since; and

Whereas, Guthery's Machine Shop, Inc. has continued since that time to fabricate miscellaneous precision machined parts for the military, oil, hydraulic and machine tool industries, starting out with 2 employees and increasing the number to 9, and their facility from a garage to the present 4,250 sq. ft.;

Council Minutes – October 3, 2006

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim Guthery's Machine Shop, Inc. as Neosho's Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

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 3rd day of October, 2006.

/s/Jeff Werneke, Mayor

APPOINTMENTS/VACANCIES

Board of Adjustments

Mayor Werneke announced that one vacancy exists for a term of 5 years beginning November 1, 2006 due to the expiring term of John Branham.

Board of Appeals

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning November 1, 2006 due to the expiring terms of Gary Crane, David Cannon, and Tom Long.

Senior Citizen Committee

Mayor Werneke announced that one vacancy exists for a term of 3 years beginning November 1, 2006 due to the expiring term of RoseMarie Carnes.

With the consent of the council, Mayor Werneke reappointed Councilman Carnes to the Senior Citizen Committee for a term of 3 years beginning November 1, 2006.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. Robert Wagner was recognized and placed on the agenda and without objection, Mayor Werneke forwarded Visitors Business on the agenda.

VISITOR'S BUSINESS

Mr. Robert Wagner – South Street Overpass

Mr. Wagner addressed the council, concerning the South Street overpass, expressing his opinion that the overpass should be completed at this time and any matching funds or funds for street repairs should be used for the construction of the overpass.

Discussion followed. No action was taken.

Mr. Matt Wallain - Highway 59 Traffic Signs

Mr. Matt Wallain was recognized later in the meeting and addressed the council.

Mr. Wallain informed the council that his mother was killed in a traffic accident on March 28 while traveling South on Highway 59. A tractor trailer was stopped to make a turn and his mother ran into the back of the truck.

Mr. Wallain requested that a sign be placed at this location to prohibit turns by tractor trailers to prevent another accident.

Mayor Werneke expressed the council's regret in the loss of his mother and informed Mr. Wallain that this may be an item which needs to be addressed by the Traffic Commission.

Mr. Wallain was asked to leave a telephone number where he could be reached and notified if and when the Traffic Commission would be addressing his request.

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BIDS

Region M Solid Waste District – Compost Pad

The following recommendation was presented for consideration.

To: Honorable Mayor Werneke and Councilpersons

From: Jan Blasé

Date: 9/28/06

Re: Compost Pad

We recently went out for bids for construction of the compost pad at the recycle center. The bids are as follows:

Blevin's Asphalt \$37,165.00

Swift Construction \$40,898.15

I recommend hiring Blevin's Asphalt to construct the compost pad for a total cost of \$37,165.00. \$29,580.51 of the total would be paid for with a grant. The City's portion of the cost would be \$7,584.49.

**RECYCLE CENTER – COMPOST PAD
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the construction of a compost pad for the Recycle Center of the City of Neosho.

The bid opening was held at 10:00 a.m., September 28, 2006 in the Council Chambers of City Hall. Present for the opening were Efton Stokes from Blevin's, Misty Wenton from Swift, and Kim Messer.

The following bids were received:

Blevin's Asphalt P.O. Box 230 Mt. Vernon, MO 65712	Bid: Construction of compost pad per specs Total = \$37,165.00
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Swift Construction P.O. Box 788 Neosho, MO 64850	Bid: Construction of compost pad per specs Total = \$40,898.15
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APAC	No response
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Discussion followed with Mr. Blasé informing the council that this project has been ongoing for two years and is a joint effort between the City of Neosho and the Region M Solid Waste Management District which requires a \$7,000.00 in kind match or cash donation required.

Mr. Blasé recommended approving the bid contingent upon the city manager finding an in kind match or additional grant funding from Region M. Discussion followed.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to award the bid to Blevin's Asphalt in the amount of \$37,165.00 contingent upon the city manager finding matching funds or additional grant monies.

Discussion followed.

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Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-225...Declaring certain real property as surplus and setting forth the method for disposing of same...2nd & 3rd Readings

Bill No. 2006-225 for Ordinance No. 265-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-225 on second and third readings.

Roll call vote:

Jeff Werneke - Yes, RoseMarie Carnes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Bill No. 2006-226...Declaring certain personal property as surplus and setting forth the method for disposing of same...2nd & 3rd Readings

Bill No. 2006-226 for Ordinance No. 266-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to pass Bill No. 2006-226 on second and third readings with an amendment to be added by the city manager.

Discussion followed with Mr. Blasé informing the council that the old airport fuel truck is to be added to the list of properties to be declared surplus.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-227...Approving the Plat of Middle School Village...1st Reading

Bill No. 2006-227 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-227 on first reading.

Discussion followed with Mayor Werneke explaining the modification as stipulated by the recommendation of the Planning & Zoning Commission.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes.

Motion carried.

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Bill No. 2006-228...Amending the 2005-2006 Fiscal Year Budget...1st Reading

Bill No. 2006-228 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-228 on first reading.

Mr. Blasé informed the council that in governmental accounting, at the end of the fiscal year, we always go back to make sure the budget for the year is what was actually spent.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Consider Contracts for Sale of Residential Real Estate located at 311 E. South Street, at 931 Burr Crossing and at 935 Burr Crossing

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to approve the contracts for the sale of residential real estate located at 311 E. South Street, at 931 Burr Crossing and at 935 Burr Crossing.

Mr. Blasé informed the council that on the South Street house, the city needs to make sure that the project engineer has signed off on the easements prior to the sale of the property and make sure that all parties understand.

Mr. Hays advised the council that the city is changing the aspect of the purchase by some extent, which obviously gives an opportunity for that person to withdraw his offer if necessary.

Discussion followed.

Roll call vote:

Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Consider agreement between the City of Neosho and the Neosho Area Chamber of Commerce for economic development services

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the agreement between the City of Neosho and the Neosho Area Chamber of Commerce, Inc. in the amount of \$108,800.00.

Discussion followed with Councilman Carnes requesting, as this contract is a one year document, that the provisions of the contract be reviewed prior to consideration next year as it would be too disruptive to suggest any changes to the contract at this point.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Select Employer Delegate to LAGERS Annual Meeting

It was the consensus of the council to select Vickie Dexter, Director of Human Resources, as the employer delegate to the LAGERS annual meeting

Council Minutes – October 3, 2006

REPORT OF CITY OFFICERS

Neosho High School Homecoming Rally

Mr. Blasé informed the council that the school has requested a closing of the square for the homecoming rally next Friday. The school was directed to coordinate the rally with the police department. Additionally, the school is requesting permission for a fireworks display during the homecoming football game at half time.

Discussion followed. It was the consensus of the council to approve the requests.

Neosho Auditorium Committee

Mr. Blasé inquired of the council's point of view in asking the committee, after the design duties are finished, to price the facilities usage, and to include the Lampo Community Center, which will replace the auditorium's usage, during the interim period when the auditorium is out of use.

Discussion followed.

It was the consensus of the council to assign that task to the committee, with Councilman Smallwood adding a provision that the finance director, Mr. Blackwood, to be involved in those discussions to make sure that it doesn't impact the budget.

Hotel/Motel Tax

Mayor Werneke reported that the ordinance specifies that all funds collected shall be used exclusively with the approval of the city manager. August 31, 2007, is the deadline for the city manager to establish procedures for recommendation to the council for the appropriation of those funds.

Management Retreat

Mr. Blasé reported that management is going to take a retreat Friday afternoon and will not be available on that day. They will be out exploring water and wastewater and other things.

Press Conference

Mr. Blasé informed the council that there will be a press conference at 11:00 a.m., Thursday, to go over what we believe the DREAM Initiative means to the City of Neosho.

APPROPRIATIONS

Appropriation Ordinance No. 2196...1st Reading

Master Fund Appropriation Ordinance No. 2196 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2196 in the amount of \$422,564.09 on 1st Reading.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes.

Motion carried.

Appropriation Ordinance No. 2196...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2196 was read by title only by Mr. Hays

Council Minutes – October 3, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2196 in the amount of \$422,564.09 on 2nd & 3rd Readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 8:00 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
October 17, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance

ROLL CALL

Present: RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Howard Birdsong was absent and was excused by the council.

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of October 3, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of October 3, 2006.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

APPOINTMENTS/VACANCIES

Board of Adjustments

Mayor Werneke announced that one vacancy exists for a term of 5 years beginning Nov. 1, 2006.

Board of Appeals

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning Nov. 1, 2006.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

Mr. Mark Preston, Graphic Technology Department, Neosho High School and Mr. Taylor Dolence, a Neosho High School student, were recognized and placed on the agenda.

Without objection, Visitor's Business was forwarded on the agenda.

VISITORS BUSINESS

Neosho High School Graphics Technology Proposal

Mr. Preston and Mr. Dolence presented a proposal which would be a joint effort of the City of Neosho and the Neosho High School to record city council meetings.

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The City of Neosho would provide the equipment or funding for the Graphics Technology Department students to record and produce the council meetings that would be broadcast on local media outlets and the graphics department would train the students to use the equipment as well as film local school and city events.

The equipment that the City of Neosho would be providing includes camera equipment from Canon and several major items from the Apple Computer Corporation, which has discounted prices for schools buying their products to use for education.

Councilman Smallwood informed the council that he thought donations could probably be obtained to purchase the necessary equipment and he would volunteer to solicit those donations.

Discussion followed with City Attorney Hays advising the council that an agreement with the school district would be needed.

No action was taken at this time.

Mr. Dale Jobe - Newton County Health Dept. Board of Directors

Mr. Jobe was not present.

BIDS

There were none.

AMEND AGENDA

Without objection, Bill No. 2006-227 was added to the agenda, under Unfinished Business, for 2nd & 3rd Readings

UNFINISHED BUSINESS

Bill No. 2006-227...Approving the Plat of Middle School Village...2nd & 3rd Readings

Bill No. 2006-227 for Ordinance No. 267-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-227 on second and third readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke – Yes, RoseMarie Carnes - Yes.

Motion carried.

Bill No. 2006-228...Amending the 2005-2006 Fiscal Year Budget...2nd & 3rd Readings

Bill No. 2006-228 for Ordinance No. 268-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Bill No. 2006-228 on second and third readings.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

CORRESPONDENCE

DREAM Initiative

Mayor Werneke noted that the city was starting to receive letters of cooperation from different state entities regarding the DREAM designation.

Trash Service

Mayor Werneke reported that one letter in support of single trash hauler service was received.

Neosho Police Department

Mayor Werneke reported that a letter of appreciation was received acknowledging the actions of Rusty Schlessman of the Neosho Police Department.

NEW BUSINESS

Public Hearing regarding an application submitted by Dwight Douglas, Agent for Nellie Faye Simmons, Owner, to vacate all that part of Primrose Drive and Whispering Oaks Drive within Homestead Village Plat #1, Neosho, Newton County, Missouri.

Mayor Werneke opened the floor for public comment.

Mr. Dwight Douglas addressed the council stating that he represents Ms. Simmons who is retired and lives in Joplin. In 1998, she platted Homestead Village Plat # 1, which adjoins Industrial Drive just West of the Oak Ridge Extension. No road has ever been cut in to the subdivision. Ms. Simmons now has the property under contract to be sold, and the buyers don't want any restrictions on the property and want to vacate the streets that have been platted. We will also be vacating the restrictive covenants in order to sell the property. Ms. Simmons as owner of all the property will be filing a document which vacates all of the restrictive covenants that apply to the plat.

In response to a question as to what the property was zoned, Mr. Douglas stated that he thought that it was zoned R-2. If the new owners want to do something else with the property, then it would be up to them to file for a new zoning.

Mayor Werneke noted that the Planning and Zoning Commission voted unanimously to recommend that the city council approve the application as submitted by the applicant.

There being no further comments from the public, Mayor Werneke closed the public hearing.

Bill No. 2006-229...Vacating all that part of Primrose Drive and Whispering Oaks Drive within Homestead Village Plat #1, Neosho, Newton County, Missouri...1st Reading

Bill No. 2006-229 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-229 on first reading.

Roll call vote:

Jeff Werneke - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

REPORT OF CITY OFFICERS

Street Improvements

Mr. Blasé reported that the street improvements will be started on Thursday.

APPROPRIATIONS

Appropriation Ordinance No. 2197...1st Reading

Master Fund Appropriation Ordinance No. 2197 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2197 in the amount of \$757,656.16 on 1st Reading.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Appropriation Ordinance No. 2197...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2197 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Carnes to pass Master Fund Appropriation Ordinance No. 2197 in the amount of \$757,656.16 on 2nd & 3rd Readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, RoseMarie Carnes - Yes.

Motion carried.

CLOSED MEETING

There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 7:35 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

**MINUTES-SPECIAL SESSION
NEOSHO CITY COUNCIL
October 26, 2006 – 6:30 p.m.
Lampo Community Center
500 E. Spring, Neosho, MO**

A quorum present, Mayor Werneke called the meeting to order at 6:45 p.m.

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

TOWN HALL MEETING

The council members were seated at individual tables in an informal setting and the public was given the opportunity to visit with each council member or with all of the council members, individually, on a one to one basis.

The council reconvened in a formal setting at 7:30 p.m. and the public was given the opportunity to address the council.

Mr. R. W. Lavender addressed the council and requested that future meetings as this to be planned; that the Mayor be elected by the public and not by the council; that funds be restricted for usage as designated; and that the sound system in the council chambers at city hall be upgraded.

Mr. Jim Smallwood addressed the council and inquired if there were any plans to widen, deepen, or add handicapped facilities at Hickory Creek in Morse Park. Mr. Smallwood was informed that these issues would be addressed during the DREAM Initiative Project.

Mr. Bob Wagner addressed the council and stated that due to safety concerns the South Street Overpass should be completed and STP funds designated for that project should be used for the overpass. Mr. Wagner was informed that there were no STP funds designated specifically for the project as it had not been recognized nor approved by MoDOT. A tax increase was presented to the citizens, with the first year's taxes to be used for the overpass, and this was turned down by a vote of the citizens.

Ms. Thelma Brown and Ms. Kate Rhoades also addressed the council and expressed requests for the completion of the South Street Overpass; and support for putting the tax increase back on the ballot for a vote of the citizens.

Dr. Larry Talley addressed the council voicing support of upgrading city streets as a first priority and also, in support of a ballot issue to increase the transportation tax.

Dr. Talley also requested that the council consider Health Savings Accounts when choosing a health care plan for city employees. Dr. Talley was informed that a employee committee was looking into that and will present a proposal to the council concerning health care plans.

Mr. Wes Nall addressed the council and read a letter from Crowder College objecting to the odors caused by Moark Industries.

Mr. Gib Garrow, on behalf of the Neosho Area Chamber of Commerce, addressed the council expressing support and appreciation for what the council is doing and supporting a ballot issue to increase the transportation tax to complete the South Street project as well as other projects including the Howard Bush Drive Extension.

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Mr. Garrow, on behalf of Mr. Rudy Farber and Mr. Ray Stipp, Community Bank and Trust, expressed their support for the direction the council is heading.

The Town Hall Meeting concluded with the council members addressing the audience with summary comments including support for additional town hall meetings; for a ballot issue to increase the transportation tax; for continued citizen involvement; and for review and implementation of the comprehensive plan.

ADJOURN

There being no further business on the agenda, Mayor Werneke adjourned the meeting at 8:33 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
November 7, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mr. Buzz Ball gave the opening prayer followed by the Pledge of Allegiance led by Mayor Werneke.

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of October 17, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of October 17, 2006

Roll call vote:

Howard Birdsong - Abstain, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Special Session of October 26, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the special session of October 26, 2006

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

PROCLAMATIONS

Mayor Werneke issued the following proclamations.

Employer of the Month

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Show Me The Ozarks Magazine, L.L.C. began its operations in Neosho in June of 2001, and has been a part of Neosho since; and

Whereas, Show Me The Ozarks Magazine, L.L.C. has continued since that time to provide a local, regional, full color magazine filled with people to know, things to do, numerous places to go and warm human interest stories; and

Council Minutes – November 7, 2006

Whereas, Show Me The Ozarks Magazine, L.L.C. started out with 2 employees and increased the number to 4, and their facility from 400 sq. ft. to the present 700 sq. ft.;

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim Show Me The Ozarks Magazine, L.L.C. as Neosho's November 2006 Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

/s/Jeff Werneke, Mayor

Energy, Environment, and Emergency Preparedness Awareness Week.

Whereas, The Crowder College MARET Center Project provides training and support for business and industry use of renewable energy technologies for integration into building design and operation, support for new product development of renewable energy technologies, and new education programs in construction, design and engineering of commercial and residential buildings using renewable energy technologies; and

Whereas, Crowder College MARET Center, The Neosho Area Chamber of Commerce, Empire District Electric Company, Missouri Gas Energy, and New-Mac Electric is presenting an "E" Conference (Energy, Environment and Emergencies) Thursday, November 9th, 2006 from 8:30 a.m. to 1:30 p.m. at the Crowder College Elsie Plaster Community Center;

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim November 5 through November 11, 2006 as **Energy, Environment, and Emergency Preparedness Awareness Week**.

/s/Jeff Werneke, Mayor

APPOINTMENTS/VACANCIES

Recreation Board

Mayor Werneke announced that one vacancy exists for an unexpired term of 3 years beginning May 1, 2005; and that one letter of interest has been received from Sharon Bradshaw.

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to appoint Ms. Bradshaw to fill the unexpired term of 3 years beginning May 1, 2005

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Board of Adjustments

Mayor Werneke announced that one vacancy exists for a term of 5 years beginning Nov. 1, 2006.

Board of Appeals

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning Nov. 1, 2006.

Historic District Commission

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning Dec. 1, 2006 due to the expiring terms of Brad Taylor, Stephen Kenny and Michael Pim.

Council Minutes – November 7, 2006

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Recreation Dept. – Asphalt Overlay of Parking Lots

The following bid recommendation and bid summary was presented for consideration.

To: Honorable Mayor Werneke and Councilpersons
From: Cheri Brazelton
Date: 10/25/06
Re: Parking Lot

We recently went out for bids for paving the parking lots at the recreation center and the pool.

The bids are as follows: Swift Construction \$39,984.40.

I recommend hiring Swift construction to pave the parking lots for a total cost of \$39,984.40.

**REC CENTER – PARKING LOT OVERLAY
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the parking lot overlay for the Rec Center of the City of Neosho.

The bid opening was held at 9:00 a.m., October 25, 2006 in the Lobby of City Hall. Present for the opening were Colin Swift from Swift Construction, Cheri Brazelton, and Kim Messer.

The following bids were received:

Swift Construction P.O. Box 788 Neosho, MO 64850	Bid: Rec Center Parking Lot overlay Total = \$39,984.40
Blevin’s Asphalt	No Response
Hutchens Construction	No Response

It was noted that \$32,000 had been budgeted for capital expenditures. Discussion followed including completing the paving project in phases, with the first phase the paving of the recreation center parking lot and the paving of the swimming pool parking lot the second phase which would allow time to find additional funds within the budget.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to award the bid to Swift Construction in the amount of \$39,984.40 contingent upon Swift Construction agreeing to schedule the paving in two phases, one the recreation center parking lot and two the swimming pool parking lot, and pro-rate the billing of the basis work completed.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Council Minutes – November 7, 2006

Finance Dept. – Audit Services

The following bid recommendation was presented for consideration.

TO: Jan Blasé, City Manager
FROM: Robert Blackwood, Finance Director
SUBJECT: Recommendation of Award of Bid for External Audit Services
DATE: November 1, 2006

The City of Neosho advertised for bids for external audit services for the fiscal year ended September 30, 2006. These firms responded to our request:

Moore, Stephens, Frost	Rogers, Arkansas
Cochran, Head & Co.	Kansas City, Missouri
Davis, Lynn & Moots	Springfield, Missouri

My recommendation is that the bid be awarded to Davis, Lynn & Moots, of Springfield.

All three firms were determined to be competent to perform the external audit. However, Davis, Lynn & Moots was determined to be the best firm to conduct the audit for several reasons. Not only were they the lowest bidder for the one year contract, but also they were engaged to conduct the external audit of our City for the year ended September 30, 2005. This prior experience is beneficial to us because of the substantial turnover in executive positions in our City government during the past year; this past experience gives them perspective and historical knowledge which will help the new administration determine exactly where we stand fiscally.

Discussion followed. It was noted that the proposal includes an option to renew the contract on a yearly basis through the year 2010.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to award the bid to Davis, Lynn & Moots as presented.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

UNFINISHED BUSINESS

Bill No. 2006-229...Vacating all that part of Primrose Drive and Whispering Oaks Drive within Homestead Village Plat #1, Neosho, Newton County, Missouri...2nd & 3rd Readings

Bill No. 2006-229 for Ordinance No. 269-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-229 on second and third readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CORRESPONDENCE

Mayor Werneke noted that an invitation was received from the Neosho R-5 School District to attend the 7th annual Senior Citizen Appreciation Banquet and a thank you note was received for the resurfacing of Elliff Drive.

NEW BUSINESS

Neosho R-5 Schools – Consideration of Fees

Dr. Richard Page invited the council to attend a Christmas luncheon on December 14, 2006, and thanked the council for the city's help in addressing the school's infrastructure projects relating to water and sewer lines.

Dr. Page also requested that the city consider the building permits as school districts across the State of Missouri, according to an attorney's opinion, are not required to have a building permit and inquired if there would be a way of cost sharing on those building permits. The school does want the city to be involved in the inspection process and continue to work together.

City Attorney Hays addressed the council and stated that he did not agree with the opinion that state statutes exempted schools from obtaining construction permits. The opinion might have been addressed to someone other than a constitutional charter city. As a constitutional charter city, the city has authority to do anything that is not prohibited by state law. There are no prohibitions for this. More importantly, there was a case heard before the Supreme Court in 1947, that has been cited 72 times, and it actually states that under a municipality's police powers, which inspections fall under police powers, that the inspection fees can be charged by the city and obviously cities can waive if they so feel to do so. However, this is still good law and it clearly states that under the police power and authority vested to the municipalities by the state, cities can in fact charge this type of a fee.

Discussion followed concerning permits and inspections, with the city attorney recommending that, even if permits were waived, the city would still need to be involved in the inspection process.

Bill No. 2006-230...Providing for an additional sales tax in the amount of one eighth of one percent (1/8 of 1%) for transportation purposes and calling for an election on such tax to be held on Tuesday, February 6, 2007....1st Reading

Bill No. 2006-230 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Bill No. 2006-230 on first reading. Discussion followed.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Bill No. 2006-231...Declaring certain real property as surplus and setting forth the method for disposing of same...1st Reading

Bill No. 2006-231 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-231 on first reading.

Mr. Blasé informed the council that the property consists of 2 acres adjacent to the spec building. The property was not declared surplus prior to agreeing to sell the property as bids were solicited administratively.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Consider Assignment of Lease with La-Z-Boy Midwest

Mr. Hays informed the council that when the city entered the lease with La-Z-Boy, the lease stated that it could only be assigned upon written permission by the city; so we are giving written approval to assign the lease to Missouri Sugars Holdings, LLC

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to assign the lease with La-Z-Boy Midwest and authorize the Mayor to execute same.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Consider Lease Agreement with Missouri Sugars Holdings, LLC

Mr. Blasé informed the council that the lease is for the railroad spur.

Mr. Hays informed the council that the term of the agreement is for a 99 year lease; however, we do have some outs if they or their affiliates cease to operate the business they are doing. It is spelled out in paragraph 2. They do assume all liability, which was a requirement, and they are going to provide insurance.

Discussion followed.

Mr. Hays also informed the council that the motion should contain the provision that it will be executed upon receipt of an executed copy from Missouri Sugars. This was just completed yesterday afternoon and they did not have time to submit it to their execute branch. It is going to be signed and we will probably have it in the next week or week and a half.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the lease agreement with Missouri Sugar Holdings, LLC, and authorize the Mayor or the City Manage to execute at such time as the city receives a signed copy from Missouri Sugar Holdings.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Consider Change Order # 1 to agreement between the City of Neosho and Bucher, Willis, and Ratliff dated May 1, 2005

Mr. Blasé informed the council that the change order is for the drawings of the new airport terminal. The contract did not include the hook-up of the electrical and the runway lights and the operations from the old building to the new and nor the courtesy carport. The change order includes those.

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to approve change order # 1 adding \$5,000.00 to the contract for a new total of \$43,250.00 and authorize the Mayor to execute same.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

REPORT OF CITY OFFICERS

DREAM Workshop

Mr. Blasé reported on the DREAM workshop to be held next Wednesday with Jefferson City officials and consultants. The workshop will start at 8:30 and run through most of the day. Discussion followed concerning the workshop.

Neosho Senior Center

Councilman Carnes reported that the Senior Citizen Committee will be studying a lease agreement with the Area Agency on Aging and will be bringing a recommendation to the council for consideration. Discussion followed concerning the agreement and the senior center.

Sales Tax Receipts

Mr. Blasé reported that Bob Blackwood has indicated that the sales tax receipts were down and they will be watching the receipts closely. Discussion followed with Mr. Blackwood addressing the sales taxes.

Architects & Engineers

Mr. Blasé reported that last week the departments interviewed professional services for architects and engineers for mainly engineering the long range planning and then architects for any plans we come up with in the future. Each department was able to be involved.

Neosho High School Graphics Technology Proposal

Councilman Smallwood reported on the video equipment. The proposal will be set before the school's foundation and he will be meeting with the foundation board on the 20th.

Lampo Community Center

Councilman Birdsong reported that the Neosho Rotary Club has committed to raise \$14,000 for kitchen equipment in the Lampo Community Center and the club is well on their way to having that done.

Mayor Werneke reported that he has met with representatives of Freeman Neosho Hospital concerning donations of kitchen equipment.

Discussion followed concerning the Lampo Community Center with Mr. Pim updating the council on the improvements to the building.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2198...1st Reading

Master Fund Appropriation Ordinance No. 2198 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2198 in the amount of \$483,290.89 on 1st Reading.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Appropriation Ordinance No. 2198...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2198 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2198 in the amount of \$483,290.89 on 2nd & 3rd Readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

CLOSED MEETING

Motion was made by Councilman Smallwood and seconded by Councilman Carnes to close the meeting pursuant to RSMo. Sec. 610.021(2)...Leasing, purchase or sale of real estate and RSMo Sec. 610.021(3)...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Mayor Werneke closed the meeting at 8:45 p.m.

RECONVENE

The meeting reconvened in open session at 9:57 p.m.

Mayor Werneke announced that no vote was taken.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 9:57 p.m.

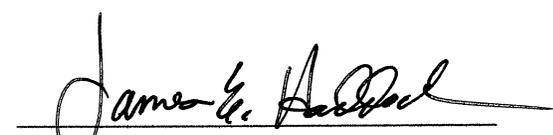
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
November 21, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke. Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of November 7, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of November 7, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Closed Session of November 7, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the closed session of November 7, 2006.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

APPOINTMENTS/VACANCIES

Board of Adjustments

Mayor Werneke announced that one vacancy exists for a term of 5 years beginning Nov. 1, 2006.

Board of Appeals

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning Nov. 1, 2006.

Historic District Commission

Mayor Werneke announced that three vacancies, including the council representative, exist for terms of 3 years beginning Dec. 1, 2006. Letters of interest have been received from Stephen Kenny and Brad Taylor.

Council Minutes – November 21, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to re-appoint Mr. Kenny and Mr. Taylor to the Historic District Commission.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Without objection, Mayor Werneke re-appointed Mr. Pim as the council liaison on the committee.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

Airport – Terminal Building

The following bid recommendation was presented for consideration.

To: Honorable Mayor Werneke and Councilpersons
From: Jan Blase
Date: 11/15/06
Re: Terminal Construction

We recently went out for bids for construction of the airport terminal at the Airport. The bids are as follows:

Power Construction	\$642,600.00
Branco	\$715,000.00
Dalton-Killinger	\$678,697.00
Darin Miller Construction	\$568,779.00

I recommend hiring Darin Miller Construction to construct the airport terminal for a total cost of \$568,779.00.

**AIRPORT – TERMINAL CONSTRUCTION
BID OPENING SUMMARY**

Attached is a compilation of the bids received for the construction of the airport terminal for the Airport of the City of Neosho.

The bid opening was held at 5:00 p.m., November 14, 2006 in the Council Chambers of City Hall. Present for the opening were Patti Powers with Powers Construction, Jason Flynn with Branco, Darin Miller with Darin Miller Construction, Rob Rea with Dalton-Killinger Construction, Dan Shea with Shea Homes, Jan Blase, and Kim Messer.

The following bids were received:

Powers Construction Company 3941 E. 20th street, Suite B. Joplin, MO 64801	Bid: Construction of Terminal per specs: Total: \$642,600
Branco Enterprises, Inc. 12033 E. Hwy 86 Neosho, MO 64850	Bid: Construction of Terminal per specs: Total: \$715,000

Council Minutes – November 21, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-231 on second and third readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

There was none.

REPORT OF CITY OFFICERS

Dream Initiative

Mr. Blasé reported that correspondence was received from Governor Blunt's office thanking the employees for their efforts in the DREAM kickoff.

Update on South Street Overpass and Round-About

Mr. Blasé reported that by mid-December, we should have the information about exactly what everything is going to cost and what is going to be done; and then in January we will have a full scale effort to make sure that information is out there.

Acceptance of Contract for Sale of City Property

Mr. Blasé reported that an offer of \$30,000 for 9 acres has been received from Mr. Jacob Lane. With the approval of the council, the City Manager will sign the sales contract and prepare the closing report and documents for the Mayor to execute.

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to accept the City Manager's recommendation.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Consider Heating and Air Conditioning bids for the Lampo Community Center

Mr. Blasé informed the council that the Lampo building has water but does not have heating and cooling. Bids were solicited for heating and cooling. Although there is no basic line item for this purchase, the city will work with the Rotary Club and the kitchen equipment to make this work as the city cannot have the water freezing and this should be considered as an emergency issue due to that fact.

The following bid recommendation was presented for consideration.

To: Honorable Mayor, Jeff Werneke
Councilpersons
From: Michael Pim
Re: Heating and Air Conditioning for the Lampo Community Center

Council Minutes – November 21, 2006

We went out for bid proposals on heating and air conditioning for the Lampo Community Center. The bids were sent to the following companies.

Bowler Plumbing and Heating; Advance Climate Control; Crane's Electric Heating & A/C; and K & S Sheet Metal

The following bids were returned and are listed:

Bowler Plumbing and Heating	\$ 7,400.00
Advance Climate Control	\$10,600.00
Crane's Electric Heating & A/C	\$ 7,388.00
K & S Sheet Metal	\$ 6,700.00

I recommend we accept the bid from K & S Sheet Metal for \$6,700.00. He stated he could begin work as soon as the equipment is received. This is for half of the needed heating and air conditioning equipment for the size of this building.

Discussion followed.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to award the bid to K & S Sheet Metal in the amount of \$6,700.00.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Contract Agreement with the Area Agency on Aging

Mr. Blasé presented the council with a draft agreement between the City of Neosho and the Area Agency on Aging for study prior to consideration at a later meeting.

Engineers & Architects; Airport Hangars; Auditorium; Sales Tax; and Recreation Center

Mr. Blasé reported that the city departments interviewed architectural and engineering services and selected Allgeier & Martin for streets and bridge, Archer Engineers for water and wastewater, and Pellham Phillips for architectural services. Following a visit with the Senior Center a report will be prepared for distribution. Letters of interest were received from three firms interested in building and leasing hangars. A meeting will be held with the architect next week to fix the costs on the auditorium, and balance those with cash flow. The sales tax is not at a negative position as previously reported as there was a calculation difference in reporting periods. Swift Construction, depending on the weather, will have the paving finished by Spring at the Recreation Center.

Neosho R-5 Foundation Board

Councilman Smallwood reported that he met with the Neosho R-5 Foundation Board and they gave approval to run any funds raised for the equipment through the foundation so the school can purchase the equipment needed to record and tape council meetings.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2199...1st Reading

Master Fund Appropriation Ordinance No. 2199 was read by title only by Mr. Hays

Council Minutes – November 21, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2199 in the amount of \$305,724.69 on 1st Reading.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Appropriation Ordinance No. 2199...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2199 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2199 in the amount of \$305,724.69 on 2nd & 3rd Readings.

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

CLOSED MEETING

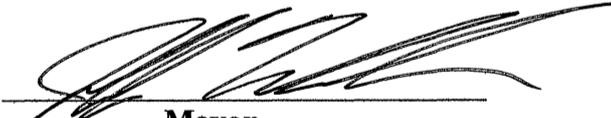
There was none.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 7:32 p.m.

APPROVED:

NEOSHO CITY COUNCIL


A handwritten signature in black ink, appearing to read 'Jeff Werneke', is written over a horizontal line. Below the line, the word 'Mayor' is printed in a bold, sans-serif font.

ATTEST:


A handwritten signature in black ink, appearing to read 'James E. Harkins', is written over a horizontal line. Below the line, the word 'Clerk' is printed in a bold, sans-serif font.

**MINUTES
NEOSHO CITY COUNCIL
December 5, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO**

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Mayor Werneke gave the opening prayer and led the Pledge of Allegiance

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood, and Jeff Werneke.

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of November 21, 2006

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to approve the minutes of the regular session of November 21, 2006

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

PROCLAMATIONS

Mayor Werneke issued the following proclamation.

Employer of the Month

Whereas, the Neosho City Council wishes to recognize the employers of our community; and

Whereas, the City of Neosho recognizes the role of our area employers' contribution to the area's growth and development and their support of our economy; and

Whereas, Premier Turbines, formerly known as Rocketdyne, was established in 1956, and has been a part of Neosho since; and

Whereas, Premier Turbines has built and delivered rocket engines that put the first man on the moon and have subsequently transitioned into one of the world's leading gas turbine engine overhaul and repair facilities, with an annual payroll of \$9 million, and a total of 190 employees, and their facility from 225,000 sq. ft. to the present 260,000 sq. ft;

Now, therefore, I, Jeff Werneke, Mayor of the City of Neosho, do hereby proclaim Premier Turbines, Neosho's Employer of the Month. We wish to recognize them for their commitment to quality and their growth in the community.

/s/Jeff Werneke, Mayor

Council Minutes – December 5, 2006

APPOINTMENTS/VACANCIES

Board of Adjustments

Mayor Werneke announced that one vacancy exists for a term of 5 years beginning Nov. 1, 2006.

Board of Appeals

Mayor Werneke announced that three vacancies exist for terms of 3 years beginning Nov. 1, 2006.

TIF Commission

Without objection the agenda was amended to add an appointment to the TIF Commission with Mayor Werneke appointing Mr. Bob Blackwood to fill an unexpired term of 4 years beginning September 1, 2004.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

There were none.

BIDS

There were none

UNFINISHED BUSINESS

There was none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-232...Canvassing Nominating Petitions and Calling for a Municipal Election to be held April 3, 2007...1st Reading

Bill No. 2006-232 was read by title only by Mr. Hays.

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Bill No. 2006-232 on first reading.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

REPORT OF CITY OFFICERS

Airport Terminal Building – Approval of Construction Contract

Mr. Blasé informed the council the contract for the construction of the airport terminal was received after the agenda was prepared and distributed. The contractor is wishing to start construction by December 18. Mr. Blasé requested that the council approve the contract between the City of Neosho and Darin Miller Construction, Inc. pending approval of the contract by the city attorney.

Council Minutes – December 5, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Smallwood to approve the contract pending approval by the city attorney.

The council was informed that there were some cost saving measures being looked at regarding the construction of the airport terminal to include financing; changes in windows, doors and air locks, roofing, chandeliers, and water pipes; and maintaining a portion of the old airport building for use as an equipment room.

Discussion followed.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

Sr. Citizen Center

Mr. Pim informed the council that the alarm system is now being installed and Mr. Blasé informed the council that the architects will be meeting with the Sr. Citizen Committee December 7.

Lampo Community Center

Mr. Pim informed the council that installation of heating and air should be completed tomorrow.

Fire Department – Fire Station Two

Chief Hickman informed the council that the heaters at Fire Station 2 failed. There are eight heaters and five of them quit. One has been fixed with parts from the other heaters and there are now four working units. There was \$15,000 of capital expenditure budgeted for the bay floor heating at Station 2. A minimum of three heaters are needed until such time as the city can go out for bid on the bay floor heating. Two large heaters can be obtained at a cost of \$500 each and one small heater can be obtained at a cost of \$400 with additional costs for the installation of the heaters.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to suspend the bid process for this emergency purchase of heaters.

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

VISITORS BUSINESS

There was none.

APPROPRIATIONS

Appropriation Ordinance No. 2200...1st Reading

Master Fund Appropriation Ordinance No. 2200 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2200 in the amount of \$310,290.62 on 1st Reading.

Council Minutes – December 5, 2006

Roll call vote:

Jeff Werneke - Yes, Howard Birdsong - Yes, RoseMarie Carnes - Yes,
Matthew Persinger - Yes, Jim Smallwood - Yes.

Motion carried.

Appropriation Ordinance No. 2200...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2200 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to pass Master Fund Appropriation Ordinance No. 2200 in the amount of \$310,290.62 on 2nd & 3rd Readings.

Roll call vote:

Howard Birdsong - Yes, RoseMarie Carnes - Yes, Matthew Persinger - Yes,
Jim Smallwood - Yes, Jeff Werneke - Yes.

Motion carried.

Appropriation Ordinance No. 2201...1st Reading

Master Fund Appropriation Ordinance No. 2201 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Smallwood to pass Master Fund Appropriation Ordinance No. 2201 in the amount of \$5,823.50 on 1st Reading.

Discussion followed with Mr. Blackwood explaining the need for two appropriation ordinances.

Roll call vote:

RoseMarie Carnes - Yes, Matthew Persinger - Yes, Jim Smallwood - Yes,
Jeff Werneke - Yes, Howard Birdsong - Yes.

Motion carried.

Appropriation Ordinance No. 2201...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2201 was read by title only by Mr. Hays

Motion was made by Councilman Smallwood and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2201 in the amount of \$5,823.50 on 2nd & 3rd Readings.

Roll call vote:

Matthew Persinger - Yes, Jim Smallwood - Yes, Jeff Werneke - Yes,
Howard Birdsong - Yes, RoseMarie Carnes - Yes.

Motion carried.

CLOSED MEETING

Motion was made by Councilman Smallwood and seconded by Councilman Persinger to close the meeting pursuant to Section 610.021(2) RSMo.

Council Minutes – December 5, 2006

Roll call vote:

Jim Smallwood - Yes, Jeff Werneke - Yes, Howard Birdsong - Yes,
RoseMarie Carnes - Yes, Matthew Persinger - Yes.

Motion carried.

Mayor Werneke closed the meeting at 7:26 p.m.

The meeting reconvened in open session at 8:22 p.m. with Mr. Blasé requesting permission to talk with a proposed manufacturing firm for provision of utilities.

Discussion followed.

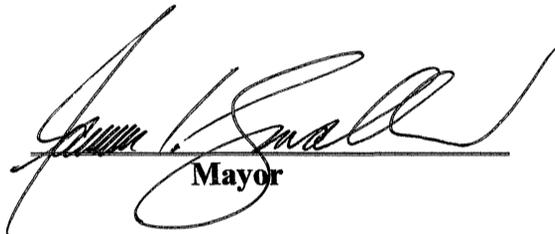
The council was polled regarding the request with Councilman Carnes withholding consent and Councilman Birdsong, Councilman Persinger, Councilman Smallwood, and Mayor Werneke giving consent for the city manager to negotiate provision of utilities.

ADJOURN

There being no further business to come before the council, Mayor Werneke adjourned the meeting at 8:25 p.m.

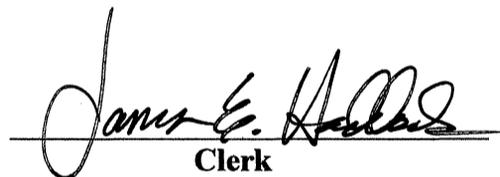
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



Clerk

MINUTES
NEOSHO CITY COUNCIL
December 19, 2006 - 7:00 p.m.
Council Chambers - City Hall
203 E. Main, Neosho, MO

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

OPENING PRAYER & PLEDGE OF ALLEGIANCE

A. W. Lavender gave the opening prayer and Mayor Smallwood led the Pledge of Allegiance

ROLL CALL

Present: Howard Birdsong, RoseMarie Carnes, Matthew Persinger, Jim Smallwood.

Absent: Jeff Werneke. Without objection, it was the consensus of the council to excuse the absence of Jeff Werneke.

Also present: Jan Blase, City Manager; Steven Hays, City Attorney; and Eric Haddock, City Clerk

APPROVAL OF MINUTES

Regular Session of December 5, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to approve the minutes of the regular session of December 5, 2006

Roll call vote:

Howard Birdsong-Yes, RoseMarie Carnes-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes.

Motion carried.

Closed Session of December 5, 2006

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to approve the minutes of the closed session of December 5, 2006

Roll call vote:

RoseMarie Carnes-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes, Howard Birdsong-Yes.

Motion carried.

APPOINTMENTS/VACANCIES

Board of Adjustments

Mayor Smallwood announced that one vacancy exists for a term of 5 years beginning Nov. 1, 2006.

Board of Appeals

Mayor Smallwood announced that three vacancies exist for terms of 3 years beginning Nov. 1, 2006 and that one letter of interest has been received from Mr. Tom Long.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to reappoint Mr. Long to the Board of Appeals for a term of 3 years beginning Nov. 1, 2006.

Council Minutes – December 19, 2006

Roll call vote:

Matthew Persinger-Yes, Jim Smallwood-Yes, Howard Birdsong-Yes, RoseMarie Carnes-Yes.

Motion carried.

VISITORS Recognized for stating the subject of business before the council (other than those already scheduled on the agenda).

A. W. Lavender and Christerpher Mikeska were recognized and placed on the agenda under Visitors Business which, without objection, was forwarded on the council agenda.

VISITORS BUSINESS

A. W. Lavender

Mr. Lavender addressed the council and questioned the council's decision placing the proposed sales tax increase on the February ballot and questioned the council's decision to include the Howard Bush Drive Extension project within the ballot question.

Discussion followed.

Christerpher Mikeska

Mr. Mikeska, Ozark Recycling, addressed the council and requested, if there was a change in the operations and management of the recycling center, that he be given consideration regarding any decision made.

Discussion followed.

BIDS

There were none.

UNFINISHED BUSINESS

Bill No. 2006-232...Canvassing Nominating Petitions and Calling for a Municipal Election to be held April 3, 2007...2nd & 3rd Readings

Bill No. 2006-232 for Ordinance No. 272-2006 was read by title only by Mr. Hays.

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-232 on second and third readings.

Roll call vote:

Jim Smallwood-Yes, Howard Birdsong-Yes, RoseMarie Carnes-Yes, Matthew Persinger-Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2006-233...Declaring certain personal property as surplus and setting forth the method for disposing of same...1st Reading

Bill No. 2006-233 was read by title only by Mr. Hays.

Council Minutes – December 19, 2006

Motion was made by Councilman Birdsong and seconded by Councilman Persinger to pass Bill No. 2006-233 on first reading.

Roll call vote:

Howard Birdsong-Yes, RoseMarie Carnes-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes.

Motion carried.

Consider sale of confiscated and abandoned properties

The following recommendation was presented for consideration.

To: Neosho City Manager and Council

Request to Declare Surplus City Property

We currently have the listed weapons, which are of no use to the Police Department. Most of these items were taken into our custody due to various reasons and have remained unclaimed or are not eligible to be reclaimed for legal reasons.

The Glock 19 handgun listed is of use to the Department and is what Officers commonly carry on duty. I would like to add this weapon to the Department inventory and place the remaining items out for sealed bid to licensed firearms dealers.

We currently have a court order in hand issued by a Newton County Judge to dispose of the weapons. We only need to have this approved by the council and publish the required information in the local paper.

David McCracken
Chief of Police

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to authorize the sale of confiscated and abandoned properties with the exception of a Glock 19 Pistol, SN # Te230US, which is to be placed into service by the Neosho Police Department.

Discussion followed.

Roll call vote:

RoseMarie Carnes-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes, Howard Birdsong-Yes.

Motion carried.

Consider contract agreement between the City of Neosho and Swift Construction

It was noted that the contract is for the construction and overlay of the Recreation Center parking lot which was recently let out for bid and subsequently awarded to Swift Construction.

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to approve the contract between the City of Neosho and Swift Construction and authorize the Mayor to execute same.

Roll call vote:

Matthew Persinger-Yes, Jim Smallwood-Yes, Howard Birdsong-Yes, RoseMarie Carnes-Yes.

Motion carried.

REPORT OF CITY OFFICERS

Lampo Community Center

Mr. Michael Pim reported on the installation of the first heating and cooling unit at the Lampo Community Center. Discussion followed with Mr. Blasé informing the council that the city may be able to find the funds for the purchase and installation of the second heating and cooling unit.

APPROPRIATIONS

Appropriation Ordinance No. 2202...1st Reading

Master Fund Appropriation Ordinance No. 2202 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2202 in the amount of \$516,239.20 on 1st Reading.

Discussion followed.

Roll call vote:

Jim Smallwood-Yes, Howard Birdsong-Yes, RoseMarie Carnes-Yes, Matthew Persinger-Yes.

Motion carried.

Appropriation Ordinance No. 2202...2nd & 3rd Readings

Master Fund Appropriation Ordinance No. 2202 was read by title only by Mr. Hays

Motion was made by Councilman Persinger and seconded by Councilman Birdsong to pass Master Fund Appropriation Ordinance No. 2202 in the amount of \$516,239.20 on 2nd & 3rd Readings.

Roll call vote:

Howard Birdsong-Yes, RoseMarie Carnes-Yes, Matthew Persinger-Yes, Jim Smallwood-Yes.

Motion carried.

CLOSED MEETING

There was no need to close the meeting.

ADJOURN

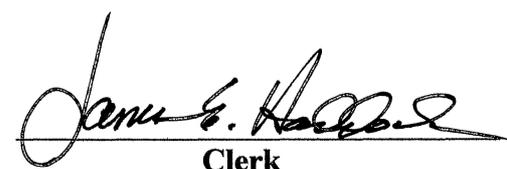
There being no further business to come before the council, Mayor Smallwood adjourned the meeting at 7:46 p.m.

APPROVED:

NEOSHO CITY COUNCIL


Mayor

ATTEST:


Clerk