

MINUTES
NEOSHO CITY COUNCIL
January 17, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jim Hardwicke gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Steven Hays, City Attorney

CITY STAFF PRESENT: Mike Eads, Fire Chief; Tina Haskins, Development Services Director; Jane Obert, Finance Office; David McCracken, Police Chief; Mike Hightower, Public Works.

AMEND AGENDA:

Mayor Davidson announced the agenda will be amended to include approval of the Street Sweeper Contract.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the amended agenda.

It was the consensus of the council to approve the amendment to the agenda.

APPROVAL OF AGENDA

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the amended agenda.

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of January 3, 2012 Regular Session and January 3, 2012 Closed Session were approved as presented.

PROCLAMATION

Mayor Davidson recognized Brad Fienen with a certificate of commendation recognizing him as the employee of the quarter.

Whereas, Officer Brad Fienen has been a conscientious and trustworthy employee; and

Whereas, Officer Bradley Fienen has portrayed himself to be an outstanding officer within our Police Department and sets the example within the patrol division; and

Whereas, Officer Fienen's successfully completed the department's "Officer in Charge" training and played a pivotal role in training new officers; and

Whereas, Officer Fienen assisted in launching a new evidence system, constructed new traffic accident forms and performed the duties of a shift corporal at the rank of Patrolman II with the upmost level of professionalism and aptitude; and

Whereas, Officer Fienen was presented with an award from MADD for his devoted service in this area.

Whereas, His self sacrifice, pride and professionalism set the standard for others to follow and brings a level of expertise and experience that is dependable and unwavering.

Now, therefore, the City Council of the City of Neosho hereby recognizes, honor and extend our congratulations to:

**Officer Brad Fienen
Employee of the Quarter for the 4th Quarter of 2011**

In Witness Whereof, I, Richard Davidson, Mayor of the City of Neosho have hereunto set my hand and caused to be affixed the Official Seal of the City, in the City of Neosho, this 17th day of January, 2012.

/s/ Richard Davidson, Mayor

VISITORS BUSINESS

Charles McFadden - Dogs and Lack of animal control

Mr. McFadden stated that Missouri law says every town shall have a dog pound. He further stated public safety should come before sports or economic activity.

Police Chief McCracken stated that a dangerous dog is picked up and transported to the Joplin humane society.

City Manager Royer provided research by stating last fiscal year; the City received 33 dog calls per month, approx 396 calls per year. He further stated the expense for this service is approximately \$7,000 per year and the revenue collected from pet licenses is approximately \$1,138. Mr. Royer stated the difference comes from the general fund.

Ken Mayor – TDD

Mr. Mayor stated he understands that TDD discussions could be conducted in a closed session and that the TDD is collecting the sales tax to build the roads and the City is to maintain the roads.

Mayor Davidson stated the TDD will be paying the City for the maintenance of the roads. He further stated the maintenance costs are dependent on the type of construction that is done. Mayor Davidson reminded Mr. Mayor that the TDD has not provided a plan.

City Attorney Hays stated the City has provided a cooperative agreement to the TDD and they have provided a response. He further stated the City needs to know what kind of roads are to be constructed to know what the maintenance costs will be.

Mayor Davidson stated the City cannot sign a cooperative agreement until the details are worked out about the plan for the construction.

City Attorney Hays stated the City has received correspondence in the last week from the TDD which represents good strides toward cooperative agreement.

Mayor Davidson stated we have engaged our engineer to help us provide a maintenance amount once the final plan of TDD is approved.

UNFINISHED BUSINESS

There was none.

BID

The following bid recommendations were presented for consideration.

Development Services – CDBG Spring Street Demolition

Tina Haskins, Development Services Director, informed the council there were five bidders for Spring Street building demolition and recommended the council accept the bid from Neal Group Construction, LLC, in the amount \$92,642.43. In addition staff recommends not accepting Alternate number 1 to remove the rock building, slab and foundation and not accepting Alternate number 2 for salvaging the lift.

The following bids were received by:

	Project Cost	Alt #1	Alt #2
Neal Group Construction	\$ 92,642.43	\$3,972	\$3,291
G&G Dozer	\$ 97,401.91	\$4,536	\$5,675
Ellick Garren Excavation	\$119,250.17	\$8,500	\$6,000
Branco Enterprises	\$125,134.40	\$7,000	\$4,700
Matt Girardier Excavation	\$157,898.11	\$6,000	\$12,000

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to award bid to Neal Group Construction, LLC in the total amount of \$92,642.43.

Mayor Davidson asked if the rock building will be preserved.

City Attorney Hays recommended the City not destroy the rock building.

Roll call vote:

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

Motion carried.

Police Department – Safety Equipment

David McCracken, Police Chief, informed the council there was one bidder for the light bars in the amount of \$1,130 per unit and recommended the council accept the bid from Ed Roehr Safety Products and purchase five units for the total amount \$5,650. He further stated these would be purchased with public safety equipment grant funds. Chief McCracken stated the grant is in the amount of \$9,000 and has been received with a City match of \$1,000. He stated he would be coming to a future council to spend additional monies from this grant.

The following bids were received by:

Ed Roehr Safety Products (St. Louis, MO)	\$1,130 each
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Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to Ed Roehr Safety Products in the total amount of \$5,650.

Roll call vote:

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

Motion carried.

Golf Course – Golf Carts Motion 55 EZGO leased carts, 70 traded, subject to financing, City Attorney approval of financing contract and Council approval of the contract Hart 2nd Workman

Justin Beck, Golf Course Manager, informed the council there were three bidders for the electric golf carts and recommended the council accept the bid from EZGo in the total amount of \$144,195 due to their financing terms.

The following bids were received by:

Masek Distributing	\$2,649 per car (Did not include trade in allowance or new car price)	Total: \$145,695.00
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EZ-Go	Trade in allowance: \$650 per car = \$45,500 New Car \$3,449 per car = \$189,695	
	NET: \$2,622 per car	Total: \$144,195.00

Clear Creek Vehicles	Trade in allowance: \$1,100 per car for trade = \$77,000 New Car \$4,060 per car = \$223,300	
	NET: \$2,660 per car	Total: \$146,300.00

Motion was made by Councilman Hart and seconded by Councilman Workman to award bid to EZGo for 55 gasoline golf carts in the amount of \$144,195.

Mayor Davidson stated a concern regarding the financing and possible options to ensure the City is being financially responsible.

Councilman Hart stated the City subsidy of the Golf Course is substantial and offered options for rotating the old and new carts instead of purchasing 55 new ones at once.

Councilman Workman stated the need to have working carts when needed.

Councilman Ruth stated his recommendation of purchasing all 55 carts now with low interest rates.

Discussion followed.

Roll call vote:

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

Motion carried.

Public Works – Water Improvement Projects: Water Treatment Plant & Pumping Improvements; Downtown Water Mains; Kodiak Road Transmission Main

Mike Hightower, Public Works Director, informed the council there were three bidders for the water treatment plant and pumping improvements and recommended the council accept the bid from David E Ross Construction in the amount of \$4,399,800; there were eight bidders for the downtown water main project and recommended the council accept the bid from Rosetta Construction in the amount of \$1,380,973.80; and there were fifteen bidders for the Kodiak Road

transmission main project and recommended the council accept the bid from Rosetta Construction in the amount of \$829,332.

The following bids were received by:

Water Treatment Plant & Pumping Improvements:

David E. Ross Construction \$4,399,800
Branco Enterprises, Inc. \$5,028,000
McClanahan Construction Co \$5,056,422

Downtown Water Mains:

Rosetta Construction \$1,380,973.80
J&N Utilities \$1,865,042.00
Branco Enterprises \$2,088,499.00
Kissick Construction \$2,307,152.00
C-2 Projects \$2,346,793.00
Lathrop Construction \$2,491,880.50
Leath & Sons \$2,677,108.00
Goins Enterprises \$3,077,684.00

Kodiak Road Transmission:

Rosetta Construction \$829,322.00
Tribal Construction \$947,433.00
McInroy Contractors \$969,842.74
Merryman Excavation \$979,077.50
Emery Sapp & Sons \$999,593.00
J&N Utilities \$1,038,302.00
Polston Construction \$1,113,335.00
Garney Companies \$1,166,360.00
Branco Enterprises \$1,119,786.90
C-2 Projects, LLC \$1,187,103.50
Ridge Hill Contractors \$1,199,000.00
Kissick Construction \$1,207,865.00
Lathrop Construction \$1,271,775.00
KAT Excavation \$1,340,311.00
Leath & Sons \$1,591,941.00

Mr. Michael Zimmerman with HDR Archer addressed council and stated there are change orders anticipated on these projects as the work is underground and there are many unknowns possible.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to award bids to David E. Ross Construction in the amount of \$4,399,800; Rosetta Construction in the amount of \$1,380,973.80 and \$829,332.00 for the water improvement projects and authorize Mayor to execute subject to attorney approval of bonds, insurance, contracts and MO-DNR approval.

Roll call vote:

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

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-479...Canvassing the petitions filed by persons desiring to become candidates for councilman and fixing the date of the primary election to be held on Tuesday, April 3, 2012...1st Reading.

Bill No. 2012-479 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-479 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-479...Canvassing the petitions filed by persons desiring to become candidates for councilman and fixing the date of the primary election to be held on Tuesday, April 3, 2012...2nd & 3rd Readings...under emergency measure.

Bill No. 2012-479 for Ordinance No. 492-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to pass Bill No. 2012-479 on second and third readings.

Roll call vote:

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

Motion carried.

Consider Amendment No. 2 to Authorization No. 17 Agreement with HDR|Archer Engineering for professional services.

Mr. Michael Zimmerman with HDR|Archer stated the downtown water line renovation requires additional oversight and warrants additional inspection observation.

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve Amendment No. 2 to Authorization #17 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Lease/Purchase Agreement with TYMCO for the street sweeper.

Motion was made by Councilman Workman and seconded by Councilman Ruth to approve the agreement with TYMCO and authorize Mayor to execute.

Roll call vote:

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

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Introduction of Parks and Recreation Director

Mr. Royer introduced John Jordon as the Parks and Recreation Director.

Jane Obert, Finance Director – Financial Report

Mrs. Obert gave an overview of the financial report stating the sales tax is up 15.5% and motel tax up 40%.

APPOINTMENTS & VACANCIES

Airport Industrial Development Board:

Mayor Davidson announced one vacancy currently exists for a term of three years beginning October 1, 2011 and expiring September 2014.

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy will exist for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals: Six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davidson announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Davidson announced one vacancy currently exists for a three-year term beginning May 1, 2010 and expiring April 30, 2013.

Park and Recreation Board:

Mayor Davidson announced one vacancy currently exist for a one for an unexpired three-year term that began May 1, 2010.

Planning & Zoning Commission:

Mayor Davidson announced two vacancies currently exist for a three-year term. One beginning April 19, 2011 expiring on August 30, 2012 and one beginning September 1, 2011.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Ruth to close the meeting pursuant to Section 610.021(1) RSMo, ...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:30 p.m.

The meeting reconvened in open session at 10:26 p.m. and Mayor Davidson announced the council conferred with the city attorney and no action or vote was taken.

ADJOURN

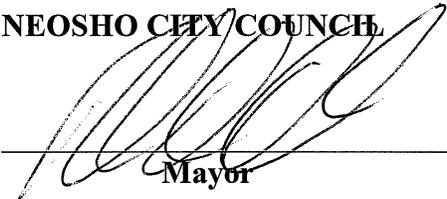
Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Hart to adjourn the January 17, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 10:26 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:

**Jane Obert, Acting City Clerk &
Finance Director**

MINUTES
NEOSHO CITY COUNCIL
February 7, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Aaron Decker gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Tina Haskins, Development Services Director; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of January 17, 2012 Regular Session and January 17, 2012 Closed Session were approved as presented.

PROCLAMATIONS:

Mayor Davidson stated the following proclamations were issued:

February Employer of the Month – Four States Dental Care

WHEREAS, the Neosho City Council recognizes selected Employers of our Community for their contribution to the Growth of our Economic Development Base and overall support to the Neosho local Economy; and

WHEREAS, Dr. Dale Kunkel, founder of *Four States Dental Care* first opened his general dentistry practice in Neosho, Missouri in 1984 and continues his dedication to making a positive difference in people's Dental and Physical Health; and

WHEREAS, *Four States Dental Care* has provided 28 years of excellence in Clinical and Relationship care, while the focus areas at ***Four States Dental Care*** are to provide General and Life Long Family Dental Care; and

WHEREAS, *Four States Dental Care* is committed to keep their Dental Team on top of the latest Dental Technology and Techniques, and offer dental services at their Neosho and Pineville Clinics to patients in Southwest Missouri, Northwest Arkansas, Northeast Oklahoma, and Southeast Kansas; and

WHEREAS, Dr. Dale Kunkel and his dedicated Dental Team of Thirteen Staff Members challenge themselves daily to provide Family Dentistry with distinction; and

NOW THEREFORE I, Richard Davidson, Mayor of the City of Neosho, do hereby proclaim ***Four States Dental Care*** to be Neosho's Employer of the Month for February, 2012. We extend our Congratulations to the Staff Members for their continuous dedication to providing excellent Family Dentistry Services in the Neosho Market, and surrounding areas.

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 9th day of February, 2012.

/s/ Richard Davidson, Mayor

And

Commendation – Talbot Industries 50th Anniversary

Whereas, Talbot Industries began its operations in Neosho on February 1st, 1962; and

Whereas, February 1st, 2012 marks the 50th anniversary of Talbot Industries' service to Neosho and the Southwest Missouri area; and

Whereas, special activities have been planned to celebrate the occasion of this anniversary; and

Whereas, it is fitting that the City of Neosho should join in this expression of pride and appreciation for the many civic and economic benefits that our community has enjoyed over the years because of the growth and prosperity of Talbot Industries;

Now, therefore, I, Richard Davidson, Mayor of the City of Neosho, do hereby express the City's personal congratulations to **Talbot Industries** and its employees with this Certificate of Commendation for their 50 years of service and extend the best wishes of the City upon this occasion.

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 February, 2012.

/s/ Richard Davidson, Mayor

VISITORS BUSINESS

J.C. Herrell – Surprise

Mr. Herrell stated appreciation for the Council's efforts and feels they are doing what is right for the City.

UNFINISHED BUSINESS

There was none.

BID

Golf Course – Golf Carts

City Attorney Hays stated at the January 17th council meeting a vote was taken to award the golf cart bid to EZGo. He further stated since that meeting it has become evident that the motion needs to be revoked due to vendor questions and errors with financial information that was presented.

Discussion followed.

Motion was made by Mayor Davidson and seconded by Councilman Hart to rescind bid to EZGo of the January 17, 2012 council meeting.

Roll call vote:

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

Motion carried.

Justin Beck, Golf Course Manager, informed the council there were three bidders for the electric golf carts and recommended, along with the Golf Course Committee, the council accept the bid from Clear Creek Vehicles based on the higher residual value for the Club Car Precedent with 72-month financing.

The following bids were received by:

Vendor	Model	Price of 55 carts	trade value allowed for 70 electric carts	net cash price
E-Z-GO	2012 E-Z-GO FXV G	\$ 189,695.00	\$ 46,550.00	\$ 143,145.00
MASEK	2012 Yamaha YDRA	\$ 222,365.00	\$ 78,375.00	\$ 143,990.00
Clear Creek	2012 Club Car DS	\$ 220,275.00	\$ 77,000.00	\$ 143,275.00
Clear Creek	2012 Club Car Precedent	\$ 221,925.00	\$ 77,000.00	\$ 144,925.00

Vendor	Model	60-month financing			72-month financing		
		monthly pay	stated interest rate	estimated residual value of 55 carts	monthly pay	stated interest rate	estimated residual value of 55 carts
E-Z-GO	2012 E-Z-GO FXV G	\$2,615.80	3.75%	none stated	\$2,219.80	3.75%	none stated
MASEK	2012 Yamaha YDRA	\$2,617.45	3.60%	\$ 89,375.00	\$2,308.90	5.00%	\$78,375.00
Clear Creek	2012 Club Car DS	\$2,622.40	3.89%	\$ 90,750.00	\$2,226.40	3.89%	\$82,500.00
Clear Creek	2012 Club Car Precedent	\$2,652.65	3.89%	\$ 90,750.00	\$2,252.25	3.89%	\$82,500.00

The FY 2011-2012 budget was designed to make payments over a six year (72-month) period. The amount remaining in the budget for FY12 is \$19,200 for this purpose. Total monthly payments by Fiscal Year for the bids are as follows:

Model	Total Payments by Fiscal Year -- 60-month Financing					
	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY2017
2012 E-Z-GO FXV G	\$20,926.40	\$31,389.60	\$31,389.60	\$31,389.60	\$31,389.60	\$10,463.20
2012 Yamaha YDRA	\$20,939.60	\$31,409.40	\$31,409.40	\$31,409.40	\$31,409.40	\$10,469.80
2012 Club Car DS	\$20,979.20	\$31,468.80	\$31,468.80	\$31,468.80	\$31,468.80	\$10,489.60
2012 Club Car Precedent	\$21,221.20	\$31,831.80	\$31,831.80	\$31,831.80	\$31,831.80	\$10,610.60

Total Payments by Fiscal Year -- 72-month Financing							
Model	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY2017	FY2018
2012 E-Z-GO FXV G	\$17,758.40	\$26,637.60	\$26,637.60	\$26,637.60	\$26,637.60	\$26,637.60	\$8,879.20
2012 Yamaha YDRA	\$18,471.20	\$27,706.80	\$27,706.80	\$27,706.80	\$27,706.80	\$27,706.80	\$9,235.60
2012 Club Car DS	\$17,811.20	\$26,716.80	\$26,716.80	\$26,716.80	\$26,716.80	\$26,716.80	\$8,905.60
2012 Club Car Precedent	\$18,018.00	\$27,027.00	\$27,027.00	\$27,027.00	\$27,027.00	\$27,027.00	\$9,009.00

Motion was made by Councilman Hart and seconded by Councilman Workman to award bid to EZGo for 55 gasoline golf carts.

Mayor Davidson stated concerns regarding residual value and conferred with Finance Director Obert regarding financing.

Discussion followed.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-480...Amending the City of Neosho Personnel Policy Handbook for Employees thereof...1st Reading.

Bill No. 2012-480 was read by title only by Mr. Hays.

Finance Director, Jane Obert stated staff is recommending changing city employee payroll from semi-monthly to bi-weekly beginning April 16, 2012 to be compliant with the Federal Labor Standard Act.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-480 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-481...To authorize the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing State Block Grant Funds for Project No. 12-096A-1, The design of Hugh Robinson Memorial Airport Airfield Lighting From H. W. Lochner, Inc....1st Reading.

Bill No. 2012-481 was read by title only by Mr. Hays.

Ms. Tina Haskins, Development Services Director stated the ordinance is required by MoDOT when entering into an agreement with them. She further stated this agreement is for securing

funds necessary to replace the airport lighting system and the precision approach path indicator system.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-481 on first reading.

Roll call vote:

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

Motion carried.

Consider approval for purchase of Springbrook Investment Financial Management Software.

Jane Obert, Finance Director stated this system would replace the current accounting software with an integrated financial management system. She further stated she is recommending entering into the agreement with a not to exceed amount of \$221,350 which includes \$200,625 for software; \$5,000 estimated travel expenses; \$5,000 for a new server and \$10,000 for additional equipment.

Discussion followed.

City Attorney Hays stated he has reviewed and approved this agreement.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the contract with Springbrook Corporation in the amount of \$200,625 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the CSI Agreement.

Finance Director, Jane Obert stated this is to implement a process where the person paying with a credit card incurs the fees instead of the City which projects a cost savings of approximately \$1,500 per year. This system would be implemented in the Municipal Court only.

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve the agreement with CSI at no cost to the City and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the CGI Communications Agreement and letter.

City Manager Royer stated this agreement would allow CGI to update the video tour book located on the City's website at no expense to the City.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to approve the agreement with CGI Communications and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Allgeier, Martin and Associates, Inc. Agreement.

Tina Haskins, Development Services Director stated this is an addendum to the original agreement in place with Allgeier, Martin and Associates to provide services required by the grant for the First Baptist Church demolition project which will be funded by MDFB.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the agreement with Allgeier, Martin and Associates and authorize Mayor to execute

Roll call vote:

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

Motion carried.

Consider approval of the Notice to Proceed to Jordan Disposal Service/Gator Industrial.

Development Services Director, Tina Haskins stated if Council approves the notice to proceed, demolition of the First Baptist Church would start the following day and take approximately three (3) to six (6) weeks.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the notice to proceed to Jordan Disposal Service/Gator Industrial and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consider amending Electric Service Agreement with Empire District to replace one light at the intersection of Kentland and Windsor Court.

Councilman Ruth stated he would like to know how many street lights the City is currently paying for.

Mayor Davidson directed City Manager Royer to make that determination and report back to council.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to amend the Electric Service Agreement with Empire District Electric to replace a street light at Kentland and Windsor Court and authorize the mayor to execute same.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Animal Control Vehicle

Mr. Royer stated he has heard the concerns of the citizens and has taken an in-house vehicle and equipped it properly to serve as an animal control vehicle. He further stated there is one position available in the Code Enforcement Department where they are looking to hire someone. He stated the agreement with the Joplin Humane Society appears to be very costly and looks forward to contacting the Faithful Friends group as soon as they are available.

Troy Royer, City Manager – Comprehensive Plan

Mr. Royer stated the comprehensive plan should be done every five years. He further stated he has contacted Harry S. Truman Coordinating Council and Development Corp. to assist in completing this task.

Troy Royer, City Manager – High School Crosswalk

Mr. Royer stated he has contacted MoDOT regarding the crosswalk safety concerns in front of the High School.

Mayor Richard Davidson – TDD

Mayor Davidson stated he has recently been informed that in order for the bid opening to happen in May and for the construction of a traffic light at U.S. Highway 60 and Kodiak Road to happen this year, the cooperative agreement needs to be executed and provided to the Missouri Highways and Transportation Commission by March 1, 2012. Mayor Davidson further stated the City Attorney has received no response from the TDD and that the TDD has requested the City to provide TIF money to help with the project.

Further discussion took place between council members including the desire to improve safety on Kodiak, Waldo Hatler and Hale McGinty along with the need for a finalized plan from the TDD.

APPOINTMENTS & VACANCIES

Airport Industrial Development Board:

Mayor Davidson announced one vacancy currently exists for a term of three years beginning October 1, 2011 and expiring September 2014 and one letter of interest has been received from Bill Sims.

Motion was made by Councilman Workman and seconded by Councilman Hart to appoint Mr. Bill Sims to the Airport Industrial Development Board for a term of three years beginning October 1, 2011 and expiring September 2014.

Roll call vote:

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

Motion carried.

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davidson announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Davidson announced one vacancy currently exists for a three-year term beginning May 1, 2010 and expiring April 30, 2013 and one letter of interest has been received from Gary Elam.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to appoint Mr. Gary Elam to the Golf Course Committee for a term of three years beginning May 1, 2010 and expiring April 30, 2013.

Roll call vote:

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

Motion carried.

Park and Recreation Board:

Mayor Davidson announced one vacancy currently exists for a one for an unexpired three-year term that began May 1, 2010.

Planning & Zoning Commission:

Mayor Davidson announced two vacancies currently exist for a three-year term. One vacancy began April 19, 2011 expiring on August 30, 2012 and one vacancy began September 1, 2011 and one letter of interest has been received from Travis Adams.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to appoint Mr. Travis Adams to the Planning & Zoning Commission for a term of three years beginning April 19, 2011 and expiring on August 30, 2014.

Roll call vote:

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

Motion carried.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to adjourn the February 7, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the February 7, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:12 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

Please Note: These are legal size pages.
MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
February 13, 2012 - 8:30 a.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

A quorum being present, Mayor Davidson called the meeting to order at 8:30 a.m.

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Hightower, Public Works Director.

NEW BUSINESS

Resolution Bill No. 2012-01...Waiving Maintenance Costs for Traffic Light at Highway 60 and Kodiak Road.

Mayor Davidson stated the City Council has been made aware of a deadline and to keep the project moving forward, City Council agrees to consider Resolution Bill No. 2012-01 and waive any and all maintenance costs attributed to the North 100 feet and South 100 feet of Kodiak Road located at the Highway 60 and Kodiak Road intersection.

City Attorney Hays stated MoDOT correspondence referenced concerns regarding the bidding process by the March deadline.

Resolution Bill No. 2012-01 for Resolution 123-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Ruth to adopt Resolution Bill No. 2012-01.

Mayor Davidson stated the following concerns regarding the latest TDD plan; (1) The request for TIF money from the City to be contributed; (2) If curb and guttering were going to be required; and (3) The amount of road to be constructed so that the City can establish fees for maintenance costs.

Discussion followed.

Roll call vote:

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

Motion carried.

ADJOURN

Motion was made by Councilman Hart and seconded by Councilman Ruth to adjourn the February 13, 2012, Special Session City Council meeting.

It was the consensus of the council to adjourn the February 13, 2012, Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:39 a.m.

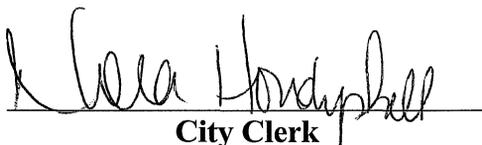
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
February 21, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jeremy Bridges gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Tina Haskins, Development Services Director; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of February 7, 2012 Regular Session and February 13, 2012 Special Session were approved as presented.

PROCLAMATION:

Mayor Davidson stated the following proclamation is going to be issued on March 6, 2012.

March Employer of the Month – Great Western Dining Service, Inc.

WHEREAS, the Neosho City Council recognizes selected Employers of our Community for their contribution to the Growth of our Economic Development Base and overall support to the Neosho local Economy; and

WHEREAS, *Great Western Dining Service, Inc.* was founded with great pride and was awarded their original contract for professional dining service at Newman University in Wichita, Kansas in 1990; and

WHEREAS, *Great Western Dining Service, Inc.* a people-driven company is celebrating *twenty*-two years of providing professional contracted dining services to Colleges and Universities, Camps, Conference Centers, as well as Business and Industry. Their prosperity has grown and developed partnerships within a six-state region in the Midwest. *Client Referrals* and their continued focus on quality and excellence has enabled their dining service to develop in the culinary arts and dining management field; and

WHEREAS, from its inception Great Western Dining Service, Inc. remains strongly committed to their original concepts of quality service and superior food. Their philosophy is *“hold well the trust that people place in you, whether they are clients, employees, friends or family”*; and

WHEREAS, the Great Western Dining Service, Inc. location at Crowder College in Neosho, Missouri consistently provides excellent dining services to Crowder College Students and other Area Businesses and Industries with their highly motivated Team; and

NOW THEREFORE I, Richard Davidson, Mayor of the City of Neosho, do hereby proclaim ***Great Western Dining Service, Inc.*** to be Neosho’s Employer of the Month for March, 2012. We extend our Congratulations to the Staff Members for their continuous dedication to providing excellence in Dining Services in the Food Industry Business.

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 March, 2012.

/s/ Richard Davidson, Mayor

VISITORS BUSINESS

There was none.

UNFINISHED BUSINESS

Bill No. 2012-480...Amending the City of Neosho Personnel Policy Handbook for Employees thereof...2nd and 3rd Reading.

Bill No. 2012-480 for Ordinance No. 493-2011 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to pass Bill No. 2012-493 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-481...To authorize the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing State Block Grant Funds for Project No. 12-096A-1, the design of Hugh Robinson Memorial Airport Airfield Lighting From H. W. Lochner, Inc....2nd and 3rd Reading.

Bill No. 2012-481 for Ordinance No. 494-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to pass Bill No. 2011-494 on second and third readings.

Roll call vote:

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

Motion carried.

Russell Belden Electric, Joplin, Mo
EMC Electric, Neosho, Mo

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to award bid to Long Electric in the amount of \$13,825.

Roll call vote:

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

Motion carried.

Parks and Recreation Department – Pool House – Plumbing

John Jordon, Parks and Recreation Director, informed the council there was one bidder for the pool house plumbing services and recommended the council accept the bid from G-3 Plumbing in the amount not to exceed \$16,865.

PARKS AND RECREATION DEPARTMENT – POOL HOUSE PLUMBING BID OPENING SUMMARY

The bid opening was held at 9:00 a.m., February 13, 2012 in the Lobby of City Hall. Present for the opening were John Jordon and Amy Moritz.

The following bids were received by:

G-3 Plumbing	\$10,300 - \$16,865 (Dependent on items replaced)
--------------	--

Solicited bids:

Jackson's Sales & Services, Neosho, Mo
Double B Inspection/Plumbing, Galena, Ks
G-3 Plumbing, Neosho, Mo
C.J.'s Home Repair, Joplin, Mo
Otten Plumbing, Neosho, Mo

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to G-3 Plumbing in the amount not to exceed \$16,865.

Mayor Davidson stated the importance of Mr. Jordon being held accountable for the work done and to ensure the amount does not exceed the \$16,865.

Mr. Jordon stated he included an estimated pool expense sheet in the council packets and will watch the budget.

Roll call vote:

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

Motion carried.

Mr. Jordon invited the Council to visit the pool house to see the progress that has been made.

Public Works Department – Service Truck

Mike Hightower, Public Works Director, informed the council there was a need to replace three older service trucks and solicited bids from three local vendors to see how they compared to MODOT's Cooperative Purchasing bid. Mr. Hightower stated there was one bid received from Griffith Motor Co and recommended purchasing the trucks from MODOT's Cooperative Purchasing using Joe Machens Ford bid for a total price of \$85,365 which comes under the budgeted amount of \$89,000.

**PUBLIC WORKS DEPARTMENT – SERVICE TRUCKS
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., February 9, 2012 in the Lobby of City Hall. Present for the opening were Stacey Barnes and Amy Moritz.

The following bids were received by:

	<u>ITEM #1</u> <u>2012 1 Ton 4WD</u>	<u>ITEM #2</u> <u>2102 1 Ton 2WD</u>	<u>ITEM #3</u> <u>2012 ½ Ton 4WD</u>
Griffith Motor Co.	\$32,659	\$29,698	\$22,125
With Options: N/A		N/A	\$21,293.40

MODOT CO-OP BIDS:

Putman Chevrolet	\$34,857	\$34,776	\$18,838
Joe Machens Ford	\$32,332	\$33,396	\$19,637

Motion was made by Councilman Ruth and seconded by Councilman Collinsworth to award bid to Joe Machens Ford in the total amount of \$85,365.

Councilman Ruth stated Griffith Motor appeared to be the low bid and questioned Mr. Hightower on why he was not recommending them.

Mr. Hightower stated the bid spec required a utility bed which the bid from Griffith did not include.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Consider approval of the MoDOT Agreement for the airport lighting engineering design.

Tina Haskins, Development Services Director stated this is to approve the MODOT State Block Grant which will fund the engineering design services for the airport lighting project.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the State Block Grant Agreement with MODOT and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of professional consultant services for the purpose of parks assessment study.

Troy Royer, City Manager stated he is recommending the council approve a needs assessment study to be conducted by Land3 Studio for the purposes of completing a focused physical assessment and economic analysis of the City's parks, documenting the strengths and

weaknesses of existing programs, evaluating local trends, documenting the community's values and input that would affect any future parks and parks program development. He further stated this would also assist the City in obtaining possible future funding through grants and other means for our parks and recreation services.

Motion was made by Councilman Workman and seconded by Councilman Ruth to authorize City Manager to engage Land3 Studio for a needs assessment study not to exceed the amount of \$7,350 and bring contract for approval to a future city council meeting.

Roll call vote:

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

Motion carried.

Councilman Hart stated he would like to see walking trails or something done with the closed nine holes of the golf course.

Councilman Collinsworth stated the parks need restored and commended City Manager Royer for exploring options.

Councilman Ruth inquired to the funding source of the needs assessment study.

City Manager Royer stated it would be paid from the general fund as the park department fund is very tight right now.

REPORT OF CITY OFFICERS

Neosho Police Department – 2011 Yearend Report

Chief McCracken stated the progress made with the police force has helped maintain a stable crime rate and look to the future and better times. Chief McCracken also stated it is critical to have police presence in neighborhoods. He further stated he has a great staff that is very loyal to the City.

Mayor Davidson stated he has noticed that moral has improved and appreciates the police presence vs. 18 months ago. He further applauded Chief McCracken and his staff.

Councilman Collinsworth commended Chief McCracken and staff for a job well done considering there has been a 10% spike in population, bad economy and still able to keep crime rate stable.

Troy Royer, City Manager – Walk Trails

Mr. Royer stated he and staff have worked towards opening the closed nine holes at the golf course for walking trails. He further stated Mr. Beck, Golf Course Manager and John Jordon, Parks Director have worked together to rope off the open 18 holes and erect signs for the walkways.

Jane Obert, Finance Director – Financial Overview

Mrs. Obert gave an overview of the financial report including stating the last payment has been made on the fire rescue truck. She further stated concerns regarding the golf course revenues being down 38% compared to this time last year.

Mayor Richard Davidson – Prairie View Estates

Mayor Davidson stated the Prairie View Estates project was supported by the City but was not approved for funding by the State.

Mayor Richard Davidson – TDD

Mayor Davidson stated MODOT sent drawings for the proposed streets in the TDD which have been sent to Allgeier, Martin & Associates for an estimated cost. He further stated he was notified that those estimates were received today.

City Attorney Hays stated he met with the TDD Attorney and was informed the agreement between the TDD and MODOT has not been signed. He further stated there is a scheduled TDD meeting for the Wednesday following this council meeting and hope to learn more.

Councilman Collinsworth – Absence

Councilman Collinsworth stated he has a planned family trip that will prevent him from attending the following council meeting and asked for the council to excuse his absence.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davidson announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Park and Recreation Board:

Mayor Davidson announced one vacancy currently exists for a one for an unexpired three-year term that began May 1, 2010.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 7:52 p.m.

The meeting reconvened in open session at 9:00 p.m. and Mayor Davidson announced the council conferred with the city attorney and no vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to adjourn the February 21, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the February 21, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:00 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
March 6, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Sean Pratt gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Steven Hays, City Attorney.

CITY STAFF PRESENT: Mike Eads, Fire Chief; Tina Haskins, Development Services Director; Jane Obert, Finance Director; David McCracken, Police Chief; John Jordon, Parks and Recreation Director.

Motion was made by Councilman Ruth and seconded by Councilman Hart to excuse Councilman Collinsworth from the March 6, 2012 council meeting.

It was the consensus of the council to excuse Councilman Collinsworth from the council meeting.

APPROVAL OF AGENDA

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve the agenda as presented.

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of February 26, 2012 Regular Session and February 26, 2012 Closed Session were approved as presented.

PROCLAMATION

Mayor Davidson stated the following proclamation will be issued on March 10, 2012.

Certificate of Commendation – 100th Anniversary of Girl Scouts of the USA

Whereas, March 12, 2012, marks the 100th anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and

Whereas, throughout its distinguished history, Girl Scouting has inspired millions of girls and women with courage, confidence, and character to make the world a better place; and

Whereas, through the Girl Scout Leadership Experience girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities; and

Whereas, Girl Scouting takes an active role in increasing girls' awareness of the opportunities in math, science, sports, technology, and many fields of interest that can expand their horizons; and

Whereas, more than three million current Girl Scout members nationwide will be celebrating this historic anniversary, and welcome girls from every background to join; and

Now Therefore, I, Richard Davidson, Mayor of the City of Neosho, do hereby express the City's personal congratulations and applaud the commitment Girl Scouting has made to support the leadership development of girls nationwide and proudly proclaim the week of March 11, 2012, as Girl Scout Week

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 10th day of March, 2012.

/s/ Richard Davidson, Mayor

VISITORS BUSINESS

Leanne Williams – Faithful Friends

Ms. Williams from Faithful Friends requested direct communication with the City on animal control. She further stated the ground breaking for their facility will be in May 2012 and would love to meet individually or as a group.

Mayor Davidson stated they meet with the City Manager and any development from that would be brought by the City Manager to the Council.

UNFINISHED BUSINESS

There was none.

BID

The following bid recommendations were presented for consideration.

Parks and Recreation Department – Pool House – Handyman

John Jordon, Parks and Recreation Director, informed the council there were three bidders for the pool house handyman services and recommended the council accept the bid from Vic Johnson, in the amount \$18,964.

PARKS AND RECREATION DEPARTMENT – POOL HOUSE HANDYMAN BID OPENING SUMMARY

The bid opening was held at 10:00 a.m., March 5, 2012 in the Lobby of City Hall. Present for the opening were John Jordon, Amy Moritz, Vic Johnson, Chris Wright and Jeremy Fregia.

The following bids were received by:

Vic Johnson	\$18,964
G-3 Unlimited	\$19,100
Chuck's Construction	\$19,743

Solicited bids but not received:

Ehrsam Construction, Lamar, Mo
Paul Heiskell, Neosho, Mo
A&I Roofing, Neosho, Mo
Frank Adam Construction, Neosho, Mo
Farrell Construction, Neosho, Mo
Branco Enterprises, Neosho, Mo
B&B Construction, Joplin, Mo
Crossland Construction Co, Columbus, KS
Mid-Central Contract Service, Pittsburg, KS

Motion was made by Councilman Hart and seconded by Councilman Ruth to award bid to Vic Johnson in the amount of \$18,964.

Roll call vote:

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

Motion carried.

Parks and Recreation Department – Youth Soccer Shirts

John Jordon, Parks and Recreation Director, informed the council there were five bidders for the youth soccer shirts and recommended the council accept the bid from Neosho Graphics, in the amount of \$5.50 per shirt.

**PARKS AND RECREATION DEPARTMENT – YOUTH SOCCER SHIRTS
BID OPENING SUMMARY**

The bid opening was held at 10:30 a.m., February 16, 2012 in the Lobby of City Hall. Present for the opening were John Jordon and Amy Moritz, Chrystal Merrick and Doug Bradley.

The following bids were received by:

Neosho Graphics	Bid:	\$5.50 per shirt
Outlaw Apparel	Bid:	\$5.00/shirt Youth – Adult XL \$5.45 Adult 2XL-3XL
WXY	Bid:	\$6.00/youth sizes \$7.00/adult sizes
Silhouette Imaging	Bid:	\$6.95 youth and adult S-L \$8.45 A2XL \$9.95 A3XL
Sports Locker	Bid:	\$5.90/shirt

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to Neosho Graphics in the amount of \$5.50 per shirt.

Roll call vote:

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

Motion carried.

Parks and Recreation Department – Mowers

John Jordon, Parks and Recreation Director, informed the council there were five bidders for the mowers and recommended the council accept the bid from Swartz Tractor Sales and Services in the amount \$14,298.

**PARKS AND RECREATION DEPARTMENT – MOWERS
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., March 1, 2012 in the Lobby of City Hall. Present for the opening were John Jordon and Amy Moritz.

The following bids were received by:

Swartz Tractor Sales, Neosho, Mo	\$14,298	met bid requirements
Less other items & service	\$ 658	
	\$13,640	net bid

(Includes 2 sets of blades, 2 oil changes, and free pickup and delivery for service for each mower. Value \$658)

Legacy Farm and Lawn, Joplin, Mo	\$16,900	met qualifications
NEWCO Service, Neosho, Mo	\$16,782	
	\$13,682	qualifications not met
Fritz Implement, Monett, Mo	\$17,550	met qualifications
	\$13,900	
Gateway Farm Equipment, Neosho, Mo	\$12,000	qualifications not met

Solicited bids but not received:
Crumbliss Sales & Service, Neosho, Mo
Tatum Motor Co., Anderson, Mo
Boyer Outdoor Equipment LLC, Joplin, Mo
Blakemore Energy Products, Independence, Ks

Motion was made by Councilman Hart and seconded by Councilman Workman to award bid to Swartz Tractors in the amount of \$14,298.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Consider recommendation made by the Economic Development sales Tax Committee.

Mr. Stuart Puckett, Chairman of the Economic Development Sales Tax Committee stated the committee is making a recommendation to include oversight of the 4% Hotel/Motel tax revenue and suggestions to expand the Committee's duties.

Discussion followed.

It was the consensus of the council to have the committee discuss this further and bring a memorandum back to council for consideration.

Bill No. 2012-482...Providing that the budget for the fiscal year 2011-2012 be amended to provide for revenues in the amount of \$128,142.31 and expenditures in the amount of \$128,142.31 for the fiscal year beginning October 1, 2011 and ending September 30, 2012...1st Reading.

Bill No. 2012-482 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-482 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-483...Providing for the repeal of Chapter 210, Animals and Fowl, Section 210.140: City Pound, Section 210.150: Impounding-Generally-Pound, Etc., Redemption Fees, and Section 210.160: Impounding-Notice to Owner-Disposal of Unredeemed Animals of the Code of Ordinances...1st Reading.

Bill No. 2012-483 was read by title only by Mr. Hays.

Motion was made by Councilman Ruth and seconded by Councilman Workman to pass Bill No. 2012-483 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of the contract change orders for the water system improvement project.

Troy Royer, City Manager presented a change order to the water improvement construction projects for the Kodiak road expansion, water plant improvements and downtown mains replacement.

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve the contract changer order for the water treatment plant, downtown water mains and Kodiak Road transmission main projects with no effect to the cost of the projects.

Roll call vote:

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

Motion carried.

Consider amending Electric Service Agreement with Empire District to remove one light located 200' west of Howard Bush Drive on Fields Avenue.

Troy Royer, City Manager presented a proposal to eliminate one street light and change contract with Empire District accordingly.

Motion was made by Councilman Ruth and seconded by Councilman Workman to amend the Empire District contract to remove one light located at 200' west of Howard Bush Drive on Fields Avenue.

Roll call vote:

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

Motion carried.

Consider approval of the Allgeier, Martin and Associates Supplemental Agreement No. 2 for the inclusion of construction engineering services for the Morse Park bike and pedestrian trail.

Motion was made by Councilman Ruth and seconded by Councilman Hart to approve the Supplemental Engineering Agreement No. 2.

Roll call vote:

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

Motion carried.

Consider approval of the Airport Lighting Engineering Agreement with H. W. Lochner, Inc.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve the agreement with H. W. Lochner, Inc.

Roll call vote:

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

Motion carried.

Consider approval to ratify vendor lines of credit and increase account balance limit with Lowe's.

Jane Obert, Finance Director stated the credit lines with Lowe's need to be increased.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve the increase of the line of credit with Lowe's to an amount not to exceed \$20,000.

Roll call vote:

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

Motion carried.

Mayor Davidson stated the Fiscal Year 2013 and future budgets shall include a standing section on credit line limits.

Discussion regarding the City's 5-year road plan.

Troy Royer, City Manager presented on the initiative for a 5-year road plan.

Councilman Hart stated the citizens were enthused that a plan is being developed to include residential streets and encouraged public input.

Councilman Ruth expressed disappointment that the street plan had been allowed to lapse in previous years and was glad to see it going again.

Mayor Davidson agreed and expressed the desire to build reserves to finish street projects approved by the voters. Mayor Davidson further stated that the city employees, particularly Public Works, Police and Fire need to report pot holes to City Hall. He also stated citizens should also report pot holes to City Hall and report if they are not getting fixed.

REPORT OF CITY OFFICERS

Neosho Fire Department – 2011 Yearend Report

Chief Mike Eads presented the annual report of the Neosho Fire Department and stated the call volume is up from last year but down from 2 previous years.

Mayor Davidson noted that the SAFER grant ends April 2013 and stated that the Council is committed to replacing the funding being lost when the SAFER grant runs out.

Councilman Hart agreed.

Councilman Workman and Councilman Ruth stated that he appreciated the work of the Fire Department.

Councilman Hart – Little League

Councilman Hart stated there were about 500 kids in Little League and he was very pleased.

APPOINTMENTS & VACANCIES

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

Board of Appeals: Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

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

Neosho Housing Authority (Oakes): Mayor Davidson announced one vacancy will exist for a term of four years beginning April 1, 2012 and expiring March 31, 2016.

Park and Recreation Board: Mayor Davidson announced one vacancy currently exists for a one for an unexpired three-year term that began May 1, 2010.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:01 p.m.

The meeting reconvened in open session at 9:22 p.m. and Mayor Davidson announced the council conferred with the city attorney and no vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Hart to adjourn the March 6, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the March 6, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:23 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:

Jane Obert, Acting City Clerk & Finance Director

MINUTES
NEOSHO CITY COUNCIL
March 20, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

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

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Tina Haskins, Development Services Director; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; John Jordon, Parks and Recreation Director.

AMENDED AGENDA

Mayor Davidson stated #7 under new business will be removed from this agenda.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to amend the agenda and remove #7 under new business.

It was the consensus of the council to approve the amended agenda.

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of March 6, 2012 Regular and Closed Sessions were approved as presented.

PROCLAMATION:

Mayor Davidson stated the following proclamation was issued on March 20, 2012.

April Employer of the Month – Mills Park Centre Furniture & Mattress

Whereas, the Neosho City Council recognizes selected Employers of our Community for their contribution to the Growth of our Economic Development Base and overall support to the Neosho local Economy; and

Whereas, Mills Park Centre Furniture & Mattress is listed as one of Neosho's oldest existing retailers with 100 years of continuous operation; and is celebrating its own "55th Anniversary" in the year 2012; and

Whereas, Lawrence and Earleen Mills purchased the Anderson Hardware store on the Northeast corner of the Neosho Historic Downtown Square in the year 1957, thereby establishing **Mills Hardware & Appliance**. At the time of purchase, the Anderson Hardware store had been in operation for 45 years as a harness shop; and

Whereas, Mills Park Centre Furniture and Mattress has continued to expand and evolve to meet the challenges of a changing marketplace relocating to its larger facility at its current location at 100 North College Street. **Mills Park Centre** now specializes in expanded furniture and mattress selections; and

Whereas, John and Sandy Mills, current owners, are proud that four generations of the Mills' family have been instrumental in the longevity of the business. The family business staff includes, Daughters Lauri Lyerla, Vice President and General Manager, Jennifer Matters, Assistant Manager, and Grandson Dustin Mills along with other dedicated Associates; and

Now Therefore I, Richard Davidson, Mayor of the City of Neosho, do hereby proclaim **Mills Park Centre Furniture & Mattress** to be Neosho's Employer of the Month for April, 2012. We extend our Congratulations to the John Mills Family for their continuous dedication to providing excellence in Service in the Home Furnishings Business to Neosho and the surrounding Four State Area.

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 20th day of March, 2012.

/s/ Richard Davidson, Mayor

VISITORS BUSINESS

David Holley – Blase Promises

Mr. David Holley stated he would like to wait until #8 under new business is discussed to address the Council.

Rudy Farber – Housing

Mr. Farber read the following prepared document in its entirety:

Mr. Mayor and members of the Council, I appear before you tonight to express my disappointment for the lack of support this council has given to two very important and worthy real estate development projects. These are the projects you initially supported via letter in October of 2011 to the Missouri Housing Development Commission, namely The Terra Vest Development project by developer Jay Burchfield and The Prairy View Estates project by developers Joe & Marie Carmichael. Both of these projects were designed to provide quality housing for moderate income families.

I became aware of the nature and scope of the projects as I am acquainted with both developers and hold them in high regard.

Having been acquainted with and worked on the past MHDC projects such as the renovation of the Old High School, The Newton Hotel, and the Old Officer Quallers at Crowder, I knew it would take a lot of work on the political side to help bring these projects to a successful conclusion. With this in mind, I called upon Lt. Governor Peter Kinder who sits on the board of the Missouri Housing Development Commission and asked him to give these projects support. He agreed, due to the influx of people to Neosho as a result of the Joplin tornado. In speaking with the Lt. Governor he felt we had good prospects of success as the Governor had expressed an interest in favoring Jasper and Newton Counties.

The Lt. Governor called me after the December 16th meeting of the MHDC board to inform that neither of the Neosho projects were funded. I was informed the reason was the failure of Neosho officials to provide input. In January, the Lt. Governor also informed there would be a 2nd hearing for another round of awards and suggested the city make an appearance at the meeting in Springfield.

In view of my strained relations with the Mayor, I thought it best to enlist the help of Representative Reiboldt. Representative Reiboldt was briefed on the situation and agreed to help and he made a personal call to city hall in order to assure city representation would be at the Springfield meeting.

I asked Lt. Governor Kinder to send me a letter on the matter. It reads as follows:

Although any city employee or any member of the council could have appeared at the Springfield meeting, the only person to show up was Representative Reiboldt.

Gentlemen, it is apparent to me through your lack of response to the Missouri Development Housing Commission you have failed in your duty to Neosho. Perhaps you are of the opinion that water parks are more important than a million dollar real estate development project which would promote population growth and enhance tax revenues.

If you were working in private industry and a situation such as this happened, you would all be searching for new employment.

Over the years I have worked with many city councils. However, I have never seen a council so ignorant of how jobs are created nor so hostile to those who have the knowledge and connections to create them. In that sense you are truly in a class by yourselves.

Perhaps at some point you will come to see that water parks, walking trails, and ball diamonds are not great job creators.

Thank you for your time.

I am leaving a copy of my remarks and the letter from Lt. Governor Kinder with the city clerk and the press in the unlikely event you might be interested.

Bob Foster – TDD

Mr. Bob Foster stated he would encourage everyone to get along to work towards resolving the issues with the TDD Cooperative Agreement. He further stated that MoDOT is more than capable of designing streets and does not need the City's input. Mr. Foster also stated the TDD is more than willing to give the City a blank check.

Jim Cummins – TDD

Mr. Jim Cummins stated he would like to wait until #9 under new business is discussed to address the Council.

Gene Schwartz – TDD

Mr. Gene Schwartz stated he would like to wait until #9 under new business is discussed to address the Council.

UNFINISHED BUSINESS

Bill No. 2012-482...Providing that the budget for the fiscal year 2011-2012 be amended to provide for revenues in the amount of \$128,142.31 and expenditures in the amount of \$128,142.31 for the fiscal year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading.

Bill No. 2012-482 for Ordinance No. 495-2012 was read by title only by Mr. Hays.

Resolution Bill No. 2012-02...Designating new signatories on City of Neosho Accounts held at Great Southern Bank.

Resolution Bill No. 2012-02 for Resolution 124-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to adopt Resolution Bill No. 2012-02.

Roll call vote:

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

Motion carried.

Consider approval of the COPS Grant Application.

Chief McCracken stated the Justice Department has again invited us to make application for the COPS grant to fund police officers for a three year period. He further stated this will cover salary and benefit packages with the City matching 25%. Chief McCracken also stated this was applied for electronically so no signature would be required.

Motion was made by Councilman Workman and seconded by Councilman Hart to authorize city staff to apply for this grant.

Roll call vote:

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

Motion carried.

Consider acceptance of grant funding from the Missouri Department of Public Safety.

Chief McCracken stated this grant is in the amount of \$61,798.68 and will be used to replace existing radio equipment to allow the City to join the State wide public safety network. He further stated there is no match required.

Motion was made by Councilman Workman and seconded by Councilman Ruth to accept the grant funding and authorize city staff to move forward with this project.

Roll call vote:

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

Motion carried.

Consider approval of the change order for street repairs on Summit Street.

Mr. Mike Hightower, Public Works Director stated last fall there was a major water leak on Summit Street at which time the Council approved a bid for \$175 per ton for 30 tons to make repairs. He further stated the winter hindered repairs to be made causing the damaged area to increase in size. Mr. Hightower stated he recommends approving the additional amount of \$7,266 to make the necessary repairs to insure the future integrity of the street.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the additional cost of \$7,266 for repairs to Summit Street.

Roll call vote:

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

Motion carried.

Consider approval of the Spring Street Building Demolition Notice to Proceed, Insurance and Bonding Documents.

Ms. Tina Haskins, Development Services Director stated this is to approve the notice to proceed for the Spring Street demolition project with Neal Group Construction.

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve the agreement with Neal Construction Group in the amount of \$92,542.43 and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consideration of further road improvements to Neosho Land Development property.

Mayor Davidson opened the floor to Mr. David Holley who signed up under visitor business.

Mr. Holley stated the donation of the land cost more than buying it out right and without a written contract he recommended the council not to honor the deal.

City Manager Troy Royer gave an overview of the chain of events regarding the donation of an 11 acre parcel by Neosho Land Development to the City. He further stated a letter was received by former City Manager Jan Blase from Neosho Land Development outlining an expectation that the dirt road connecting Howard Bush Drive to Nelson Drive be cleared by the City while putting in the infrastructure improvements which would include being cleared and treated with compaction rock in such a manner that car traffic could be utilized to market the other five parcels owned by Neosho Land Development. Mr. Royer stated the burden to the City to perform this work totaled \$62,808 for survey and engineering work, \$13,746 for materials and an estimated cost of \$16,000 for City labor totaling \$92,554. He further stated to finish the road as requested with compaction rock, two culverts and City personnel and equipment hours would be an additional estimated \$10,491 and requested direction from the Council.

City Attorney Hays stated he was aware of the donation as Mr. Blase discussed with him the tax donation Form 8253 for the property. He further stated per state statute verbal agreements are not acceptable.

Mayor Davidson stated after conferring with the City Clerk the only mention of the property in council minutes were on August 5, 2008 when Mr. Blase notified council the donation had been received.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to authorize the City to complete the construction on the Neosho Land Development property in the amount of \$10,491.

Roll call vote:

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

Motion failed.

Discussion regarding Transportation Development District (TDD) Cooperative Agreement.

Mayor Davidson then opened the floor to Mr. Jim Cummins and Mr. Gene Schwartz who signed up under visitor business.

Mr. Jim Cummins stated he appreciated the opportunity for discussions and reviewed the proposed changes to the TDD Cooperative Agreement for the Council's consideration.

Mr. Gene Schwartz, Chairman of the TDD Board, stated urgency in the time to get this resolved and encouraged Council to discuss this in open session. He further stated he would accept a verbal agreement to start the process moving forward.

Mayor Davidson stated the City Charter requires seven days between the 1st and 2nd and 3rd readings of an ordinance. He further stated the Council scheduled special sessions for March 22nd and March 29th in anticipation of getting this resolved.

Discussion followed.

City Attorney Hays stated the discussions for the TDD started in 2007 with Newton County, R-5 School District, Darrel Gross and Gib Garrow because at this point there was no TDD Board. He further stated later the County withdrew and they needed a government entity sponsor for the petition which is when the City became involved. Mr. Hays stated the first petitions included Kodiak but after the School Board withdrew financial support Kodiak and Waldo Hatler were removed.

Councilman Hart stated he was in support of the TDD project but had concerns regarding the safety issues on Kodiak.

Councilman Collinsworth commended the TDD Board and the possible retail for Neosho. He further stated his concern that the safety of the students and improvements to Kodiak road are not number one on the list.

Councilman Ruth stated appreciation for the TDD Board coming to the Council meeting and that to the majority of the Council, safety is the main concern. He further stated he was offended by the way the Mayor, City Manager and a couple of Councilmen have been treated by Mr. Schwartz. Mr. Ruth stated the City and the TDD are not that far apart and should be able to work it out without being counterproductive.

Discussion followed.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Six Month Progress Report

Members of the Neosho City Council:

As the City Manager, the purpose of this letter is to report to the City Council the accomplishments and progress of the City over the first six months of the City's fiscal year from October 2011 through March 2012.

Within the first six months of the City's 2011/2012 fiscal year, significant accomplishments and progress has been made in a number of areas of the city government. This progress was started just prior to the start of the fiscal year; however, the current administration and employees have taken great strides to ensure that the city continues on an upward path of integrity, growth, financial stability and success.

Starting in September and continuing throughout the first six months of the City's fiscal year,

through some key personnel changes along with the continued commitment of all current employees we have been able to ensure a continued growth in the right direction and improve the culture of City Hall and our City government. These changes have resulted in a new culture within our City government to create great customer service and an openness of our City Hall to all of the citizens of Neosho. Through the continued dedication and commitment of the City's administration and employees, some key changes that have been instituted and accomplishments made include:

Customer Service:

- Discontinuing the automated phone system to provide citizens with a real person to communicate their needs and to ensure they are connected with the correct city department and personnel to ensure that their issues are addressed and their needs are met.
- Taking down the barriers of the city hall entrance and creating an open, friendly, and welcome environment for all citizens of Neosho.
- Enhancement and continued commitment of all city departments and employees to fully administer great customer service to the citizens of Neosho.
- Improved utility payment processing to facilitate timely payments by customers and reduce citizen frustration.
- Rebuilding of the City's Police and Fire Departments for improved public safety.
- Reinstatement of the City's animal control function.
- Startup of the Missouri Little League Program.
- New street sweeper to ensure streets and gutters are clean and help reduce flooding issues.

City Employee Enhancement & Gratification:

- Implemented the Employee of the Quarter program.
- Employee Suggestion Program.
- Improved internal communications and cooperation among management and staff.

Financial Stability:

- State Audit Follow-up ("Significant Progress and Seriousness of City Leaders about Accountability and Getting Their Finances Back on the Right Track" as stated by State Auditor Tom Schweich.) At the 90-day follow-up, remarkable progress had been achieved with all recommendations from the State Audit either Implemented or In Progress!
- Due to City management and staff preparedness and cooperation, the contracted audit for the FYE 9/30/11 was completed on time and will be submitted to the State Auditor's Office on time as required by State Law for the first time in a number of years.
- Detailed and accurate financial results are reported to the City Council on a monthly basis.
- City's General Fund balance has increased significantly as anticipated to address the City's increased debt payments, loss of the Fire Safer Grant, and continuing needs of the City. The City's General Fund balance has increased as follows:

<u>Fund Balance</u>	
FYE 9/30/09	\$(1,042,656)
FYE 9/30/10	84,897
FYE 9/30/11	1,958,642

- The City's purchase of a new Financial Management and Utility System to bring us into the 20th century and be able to produce real-time financial reporting and streamlined more dependable utility system.

City Capital Projects In-Progress or Completed:

- Completion of the new Airport T-Hangers.
- Airport Runway Lighting Project.

Council Minutes – March 20, 2012

- Demolition of the First Baptist Church property to a City green space for use by the citizens and visitors of Neosho.
- Demolition of the Spring Street property (Fry & Gray Building) to be utilized along with the County Historical Park.
- Restoration of the City Pool to a better more improved pool with the limited resources available for the project.
- Opening of the decommissioned 9-hole Lakes portion of the Golf Course as a walking trail for the citizens of Neosho.
- Morse Park walking trail project and park enhancements with the assistance of Missouri Department of Conservation for the blighted flood plain area of the park.
- Completion of the new Public Works Building Site.
- Waste Water Treatment Plant Improvements.
- Water Treatment Plant Improvements.
- Kodiak Road Water Main Project.
- Downtown Water Main Replacements.

As demonstrated, significant efforts have been made by our City Government, administration and employees to make improvements, start and complete projects that have been stagnant, rebuild the City infrastructure for economic development, and provide exceptional customer service to all the citizens of Neosho. This is just the start of the great things in store for the City of Neosho and Neosho's future.

Sincerely,
Troy Royer
Neosho City Manager

Mayor Richard Davidson – Little League

Mayor Davidson stated the Little League event has enrolled close to 600 kids into the program.

Mayor Richard Davidson – Water Improvement Projects

Mayor Davidson announced the Governor's visit to endorse the water improvements programs.

Mayor Richard Davidson – Housing Projects

Mayor Davidson stated the City provided letters of support as it pertains to the two housing projects that Mr. Rudy Farber referred to earlier in the meeting. He further stated even after an F-5 tornado that hit Joplin, not all of their proposed projects were funded by the housing commission.

Councilman Collinsworth stated not one dime has been spent on any water park projects. He further stated that the kids and citizens of Neosho deserve a plan to better our parks.

APPOINTMENTS & VACANCIES

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

Board of Appeals: Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

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

Neosho Housing Authority (Oakes): Mayor Davidson announced one vacancy will exist for a term of four years beginning April 1, 2012 and expiring March 31, 2016.

Park and Recreation Board: Mayor Davidson announced one vacancy currently exists for a one for an unexpired three-year term that began May 1, 2010.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 9:26 p.m.

The meeting reconvened in open session at 10:38 p.m. and Mayor Davidson announced the council conferred with the city attorney and no vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Ruth to adjourn the March 20, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the March 20, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 10:38 p.m.

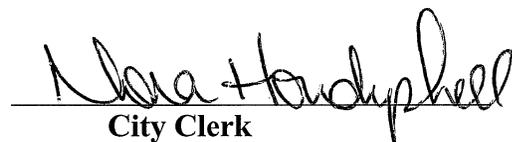
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

Please Note: These are legal size pages.
MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
March 22, 2012 – 4:00 p.m.
City Hall – Conference Room
203 E. Main St., Neosho, MO

A quorum being present, Mayor Davidson called the meeting to order at 4:03 p.m.

ROLL CALL

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

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

CITY STAFF PRESENT: Jane Obert, Finance Director.

Bill No. 2012-485...Authorizing the Mayor to execute a Cooperative Agreement between the City of Neosho and the Neosho Transpiration Development District (TDD) in accordance with revised statutes of Missouri Chapter 238...1st Reading.

Mayor Davidson stated the Council and City Attorney received the revised TDD Cooperative Agreement around 3:00 p.m. today and had not had a chance to review it. He further encouraged a TDD representative to update the Council regarding discussions relating to the changes. Mayor Davidson also stated he was unable to attend the TDD meeting earlier in the day due to an emergency situation within the City.

Mr. Ray Stipp, representing the TDD Board, discussed the recommended changes including but not limited to the following:

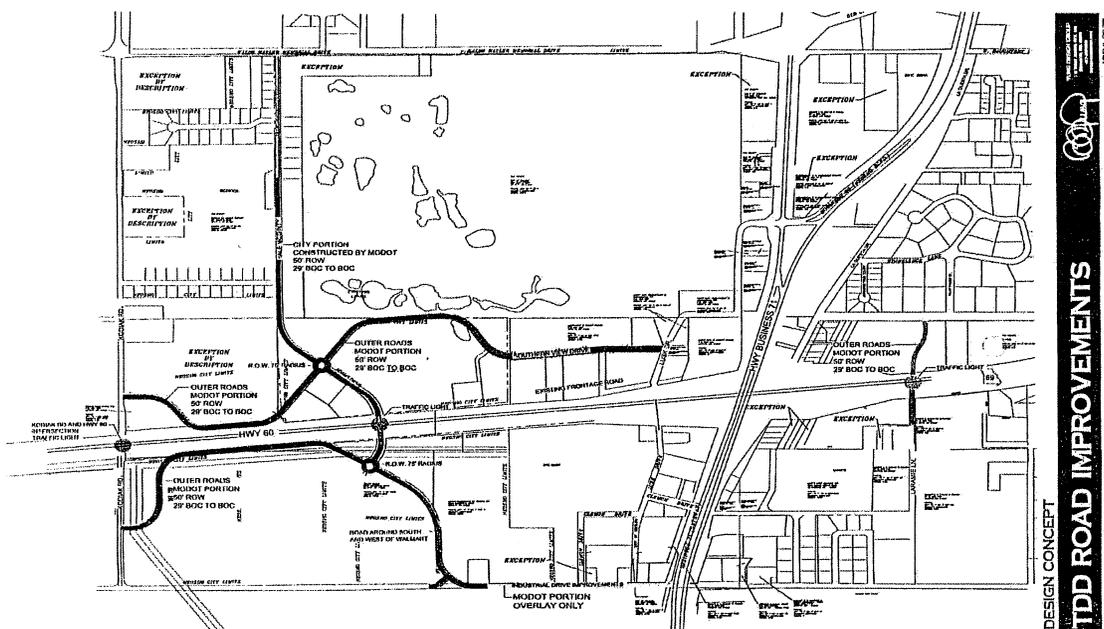
- The TDD Board would like the Chairman to approve the routine maintenance invoices presented for payment.
- Although the TDD Board is concerned with safety, they revised the agreement to maintain the priority of funding transportation projects costs to be (1) Route 60 at Adams Drive; (2) Route 60 at Laramie Lane; (3) Kodiak Road storm drainage improvements (3 locations) and pavement replacement (North Outer Road to Waldo Hatler Drive); Waldo Hatler Drive and Kodiak Road intersection improvements and (4) North outer road roundabout with curb and gutter.

Discussion followed.

Mr. Stuart Puckett with Arvest Bank stated he has reviewed the agreement for the first time today and agreed with the handling of TIF funds as outlined in paragraph 4.5 and with the terms of paragraph 4.6 of the agreement.

Mr. Jim Cummins stressed the importance of moving forward with the Cooperative Agreement due to the time constraints and the fact that Arvest Bank cannot start their process without it.

Mr. Ray Stipp provided a TDD map for review.



City Attorney Hays stated Kodiak was not entirely in City limits that a portion was in the County.

Discussion followed.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Ruth to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 4:37 p.m.

The meeting reconvened in open session at 6:31 p.m. and Mayor Davidson announced the council conferred with the city attorney and one vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to adjourn the March 22, 2012 Special Session City Council meeting.

Roll call vote:

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

Motion carried.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 6:33 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

Please Note: These are legal size pages.
MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
March 30, 2012 – 9:00 1.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO

A quorum being present, Mayor Davidson called the meeting to order at 9:00 a.m.

ROLL CALL

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

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

CITY STAFF PRESENT: Jane Obert, Finance Director and David McCracken, Police Chief.

Bill No. 2012-485...Authorizing the Mayor to execute a Cooperative Agreement between the City of Neosho and the Neosho Transpiration Development District (TDD) in accordance with revised statutes of Missouri Chapter 238...2nd and 3rd Reading.

Mayor Davidson stated due to the fact that the TDD agreement was returned with modifications, the City Council will meet in closed for the City Attorney to explain the modifications.

CLOSED MEETING:

Motion was made by Councilman Workman and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 9:03 a.m.

The meeting reconvened in open session at 9:36 a.m.

Bill No. 2012-485 for Ordinance No. 497-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to pass Bill No. 2012-485 on second and third readings.

Mayor Davidson opened the floor to each councilmember for discussion.

Councilman Hart stated he was disappointed that it took a year and a lot of heated discussion to get this resolved. He further stated regardless of the outcome of this vote, he anticipates the City will be proactive in addressing the safety issues on Kodiak Road and a light be placed at 60 Highway and Kodiak.

Councilman Workman stated in light of the struggles and arguing the TDD could be a good thing and echoed Councilman Hart's concerns regarding safety.

Councilman Collinsworth stated his disappointment of the focus of the arguing as it pertains to the safety issues vs. retail and the alleged \$2.4 million dollars Council was accused of potentially losing vs. the approximate \$10 million dollars that the tax payer has been burdened with.

Councilman Ruth echoed his fellow Councilmember's views and added he was disappointed at how ugly the discussions became during this process when neither side was that far apart.

Mayor Richard Davidson stated the Council's role is to look out for the best interest of every Neosho citizen not the TDD. He further stated that there was some complaint regarding the water increase which was voted in by the citizens of Neosho but not everyone could vote on the TDD improvements tax. Mayor Davidson also stated the Hale McGinty and Waldo Hatler improvements were not in the original plans and because of the City Council's insistence for safety, this has been added.

Roll call vote:

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

Motion carried.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to adjourn the March 30, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the March 30, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:48 a.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
April 17, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Josh Branham gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Tina Haskins, Development Services Director; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; and John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of April 3, 2012 Regular Session were approved as presented.

PROCLAMATION:

Mayor Davidson stated the following proclamation was issued on April 17, 2012.

Employee of the Quarter – John Harrington

Whereas, Mr. John Harrington has been a conscientious and trustworthy employee; and

Whereas, John Harrington is the City’s Code Enforcement Officer; and

Whereas, John Harrington has portrayed himself to be an outstanding employee with a great work ethic; and

Whereas, John Harrington has an exceptionally good attitude no matter the task even when it is outside the scope of his position; and

Whereas, John Harrington has the ability to be a problem solver and think outside the box; and

Whereas, His humility and professionalism set the standard for others to follow.

Now, therefore, the City Council of the City of Neosho hereby recognizes, honor and extend our congratulations to:

Mr. John Harrington
Employee of the Quarter for the 1st Quarter of 2012

In Witness Whereof, I, Richard Davidson, Mayor of the City of Neosho have hereunto set my hand and caused to be affixed the Official Seal of the City, in the City of Neosho, this 17th day of April, 2012.

/s/ Richard Davidson, Mayor

UNFINISHED BUSINESS

Bill No. 2012-484...Providing for the repeal of Chapter 120, Petty Cash Fund, Section 120.240: Petty Cash Fund – Established, Section 120.25: Petty Cash Fund – Reimbursement of the code of ordinances, City of Neosho, Missouri and declaring same to be null and void and of no effect...2nd and 3rd Reading.

Bill No. 2012-484 for Ordinance No. 498-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-484 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-486...Canvassing the returns of the Municipal Election held Tuesday, April 3, 2012, submitting to the qualified voters of said city, candidates for city councilman and declaring the results thereof ...1st Reading.

Bill No. 2012-486 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-486 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-486...Canvassing the returns of the Municipal Election held Tuesday, April 3, 2012, submitting to the qualified voters of said city, candidates for city councilman and declaring the results thereof ...2nd & 3rd Readings...under emergency measure.

Bill No. 2012-486 for Ordinance No. 499-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-486 on second and third readings.

Roll call vote:

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

Motion carried.

Resolution Bill No. 2012-03...Acknowledging the Election of a Neosho Transportation Development District Board of Director Member to be elected at an April 2012 TDD Board Meeting and Empowering the City Manager to Cast a Vote for such Representative.

Resolution Bill No. 2012-03 for Resolution 125-2012 was read by title only by Mr. Hays.

Mayor Davidson stated the Neosho TDD is bound by its bylaws to have an annual election of certain Board of Director members. He further stated in order for the City to participate within such an election it is required to predetermine its nominee and appoint a proxy.

Motion was made by Councilman Workman and seconded by Councilman Hart to authorize Troy Royer, City Manager or Richard Davidson, Mayor to cast his vote for Matt Ruth on behalf of the City of Neosho at said April 2012 Neosho TDD District meeting and adopt Resolution Bill No. 2012-03.

Roll call vote:

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

Motion carried.

ADJOURN...SINE...DIE

Motion was made by Councilman Ruth and seconded by Councilman Hart to adjourn...sine...die.

It was the consensus of the council to adjourn...sine...die.

RECESS

The council meeting was in recess between 7:11 and 7:13.

ADMINISTER OATH OF OFFICE TO NEWLY ELECTED COUNCILMEN

Oath of Office

City Clerk Houdyshell administered the oath of office to Councilman-elect Richard Davidson, Councilman-elect Steve Hart and to Councilman-elect David Ruth.

RECONVENED SESSION - NEOSHO CITY COUNCIL

City Clerk Houdyshell reconvened the meeting with the following council members in attendance: Charles Collinsworth, Richard Davidson, Steve Hart, David Ruth and Tom Workman.

ELECTION OF MAYOR

City Clerk Houdyshell called for nominations for Mayor.

Councilman Workman nominated Councilman Davidson.

There being no other nominations, motion was made by Councilman Hart and seconded by Councilman Collinsworth to cease nominations and elect Councilman Davidson as Mayor by acclamation.

Roll call vote:

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

Motion carried.

ELECTION OF MAYOR PRO TEMPORE

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

Councilman Ruth nominated Councilman Hart.

There being no other nominations, motion was made by Councilman Collinsworth and seconded by Councilman Ruth to cease nominations and elect Councilman Hart as Mayor Pro Tempore by acclamation.

Roll call vote:

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

Motion carried.

VISITORS BUSINESS

Clifton Kerr – Drainage

Mr. Kerr stated conversations with three different City Managers since 1993 regarding water streaming through his backyard due to no curbing. He further stated due to the amount of time that has lapsed in fixing the problem, it has damaged his retaining wall and would like it replaced.

Mayor Davidson with the consensus of the Council directed City Manager Royer to investigate this issue and email a resolution to the Council by Friday at noon via the City Clerk's office.

BID

Parks Department – Pool Furniture

John Jordon, Parks Director, informed the council he looked at three different types of material for the stacking and lounge chairs while considering price and durability determining the resin based items fit the City budget, needs and durability needed at the pool. Mr. Jordon also informed council the tables are 46" square with a thermoplastic coating with a five year warranty and have four bench style seats which can seat up to eight people. He further stated there were three bidders that offered these items and recommended the council accept the bid from Park and Pool in the amount of \$9,796.

The following bids were received by:

Park and Pool	\$9,796.00
Belson Outdoors	\$10,723.00 + \$95 (for power gate lifting service) Total \$10,818.00
Global Industrial	\$11,798.69 + \$45 (for power gate lifting service) Total \$11,843.69

Councilman Collinsworth stated Mr. Jordon did a good and thorough job.

Mayor Davidson stated the pool looks nice and likes the added space with shade.

Motion was made by Councilman Workman and seconded by Councilman Hart to award the bid to Park and Pool in the amount of \$9,796.

Roll call vote:

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

Motion carried.

Public Works Department – Water Filtration Plant Mower

Mike Hightower, Public Works Director, informed the council the need for a mower to be used at the water filtration plant. He further stated the current mower was donated from the Parks Department several years ago and has exceeded its useful life. Mr. Hightower stated Swartz Tractor Sales has agreed to honor the bid used in March of this year by the Parks and Recreation Department in the amount of \$7,149.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to award the bid to Swartz Tractor Sales in the amount of \$7,149 for one zero turn radius mower for use at the water plant.

Roll call vote:

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

Motion carried.

Public Works Department – Repair Curbing

Mike Hightower, Public Works Director, informed the council during the 2011 blizzard, approximately 236 feet of curbing was damaged during snow removal efforts. Mr. Hightower stated there were three bidders and recommended the council accept the bid from Haggard's Excavating LLC in the amount of \$12,508.

The following bids were received by:

Branco Construction	\$95.00 per LF - TOTAL \$22,420
Crews Construction	\$150.00 per LF – TOTAL \$35,400
Haggard's Excavating LLC	\$53.00 per LF – TOTAL \$12,508

Motion was made by Councilman Workman and seconded by Councilman Hart to award the bid to Haggard's Excavating LLC in the amount of \$12,508 and authorize the Mayor to execute the agreement.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-487...Providing for the amendment of Code Sections 710.010, 710.020 and 710.030 and the Repeal of Code Section 710.110; All within Chapter 710, Water, of the City Code of Ordinances; and Declaring Code Section 710.110 to be null and void and of no effect...1st Reading.

Bill No. 2012-487 was read by title only by Mr. Hays.

Jane Obert, Finance Director stated the reasons why this code needs to be revised making it easier to do business with the City as it pertains to utilities including, but not limited to, the following:

- Permit initiation of service in person or by telephone for customers not owing a prior balance;
- Eliminate the written contract requirement;
- Change deposit requirements for residential users;
- Authorize the Finance Director to make final determination regarding approval or denial of applications for service;
- Authorize the Finance Director to take necessary actions to implement the changes including modifications to policy, forms and practices.

Councilman Collinsworth and Councilman Ruth commended Ms. Obert's efforts.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-487 on first reading.

Roll call vote:

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

Motion carried.

Consider request for water service at 13495 Palm Road.

Mr. John Harrington, Code Enforcer stated a request has been made to obtain water service to a single family home residence that is not contiguous with City limits. He further stated they have signed the Irrevocable Consent to Annexation and Agreement Relating thereto.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to accept the Irrevocable Consent to Annexation and Agreement Relating Thereto allowing City Water connection from the existing water main and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider request for water service at 13691 Palm Road.

Mr. John Harrington, Code Enforcer stated a request has been made to obtain water service to a single family home residence that is not contiguous.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to accept the Irrevocable Consent to Annexation and Agreement Relating Thereto for connection to City water and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider request for water service at Pella Lane and Chris Marion Parkway.

Mr. John Harrington, Code Enforcer stated a request has been made to obtain water service to a vacant parcel of land that is not contiguous. He further stated the property land owners plan to build duplexes.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to accept the Irrevocable Consent to Annexation and Agreement Relating Thereto for connection to City water and sewer and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Little League Agreement.

John Jordon, Parks Director stated the City Attorney has reviewed and approved the Little League Agreement.

Discussion was engaged regarding responsibilities of trash and bathroom cleanup.

Mayor Davidson stated the Little League Representatives need a city staff employee's phone number to contact in case there are issues during a game. He further stated concerns regarding the alarm system.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the agreement with the Little League and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Amendment to the Electric Service Agreement.

Mike Hightower, Public Works Director stated these requests were for two new streetlights in a subdivision increasing the monthly payment by \$20.44 and \$26.58.

Motion was made by Councilman Workman and seconded by Councilman Ruth to amend the Electric Service Agreement with Empire District Electric to add a street light at the intersection of Neosho Heights Circle and Neosho Heights Avenue and the intersection of Industrial Drive and Neosho Heights Avenue and authorize the mayor to execute same.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Empire Electric Service/Street light poles

City Manager Royer stated the City is currently being charged for 885 street lights and poles. He further stated Empire Electric Company charges the City an energy charge along with an investment charge of 9% yearly. Mr. Royer stated this fee relieves the City of any maintenance of lights and poles.

Councilman Hart stated there is a franchise tax in place.

Councilman Workman stated the Street Department loses \$150,000 per year off the top of their budget to absorb these fees.

Steven Hays, City Attorney – Zoning

City Attorney Hays stated a citizen needed clarification regarding a zoning issue that arose during the Council's decision to repeal the 405 removing RD-1. Mr. Hays' recommendation to council is to revise the City Code to include RD-1 resolving the issue with the landowner. Attorney Hays stated it is the Landowner's desire to make classification to C1/C2 and recommends allowing this with no expense incurred.

Mayor Davidson directed the City Attorney to modify the Code by ordinance to bring RD-1 back.

It was the consensus of the council to direct City Attorney Hays to modify the Code.

Troy Royer, City Manager – Revising 405

City Manager Royer suggested the council consider a committee made of up two planning and zoning members, Development Services Director, Code Enforcer and a councilmember to review necessary revisions to the 405 Code.

Councilman Ruth stated he did not want to reinvent the wheel but agreed with revising necessary portions.

City Attorney Hays suggested an Ad Hoc Committee.

Jane Obert, Finance Director – Financial Statements

Mrs. Obert stated the sales tax is above budget and gave an overview of the March financials including an introduction of the new fund balances report. She further stated Daphne Pevahouse, Finance Manager worked very hard in assisting with this report and is doing a great job.

Troy Royer, City Manager – Debt and Investment Policy

Mr. Royer stated the city clerk found the debt and investment policy adopted March 2000. He further stated after reviewing it the City is currently following the guidelines in the policy.

Councilman Ruth stated he requested this document from the City Clerk and found it to be in Resolution form. He further stated he would recommend bringing this back into ordinance form so it does not get overlooked in the future.

APPOINTMENTS & VACANCIES

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

Board of Appeals: Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

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

Golf Course Committee: Mayor Davidson announced three vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Pat Meredith, *Ruth Crawford and Kenneth Tyler. Two of these positions need to be Neosho residents while (*) one is for a Non-Resident of the City of Neosho. *Two letters of interest have been received. One from Patrick Meredith (Resident) and one from Richard Clemons (Non-Resident).*

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to reappoint Patrick Meredith to the Golf Course Committee for a three term beginning May 1, 2012.

Roll call vote:

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

Motion carried.

Motion was made by Councilman Workman and seconded by Councilman Hart to appoint Richard Clemons as the non-resident member of the Golf Course Committee for a three year term beginning on May 1, 2102.

Roll call vote:

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

Motion carried.

Park and Recreation Board: Mayor Davidson announced one vacancy currently exists for an unexpired three-year term that began May 1, 2010. Three vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

Appoint council representatives to committees.

Mayor Davidson directed city clerk to email current council representatives list for the boards and committees to be discussed at the next regular scheduled council meeting.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Hart to adjourn the April 17, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the April 17, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:27 p.m.

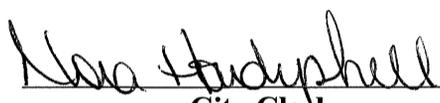
APPROVED:

NEOSHO CITY COUNCIL



Mayor Pro Tem

ATTEST:



City Clerk

Please Note: These are legal size pages.
MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
April 20, 2012 – 8:30 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO

A quorum being present, Mayor Davidson called the meeting to order at 8:33 a.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Tom Workman.

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

CITY STAFF PRESENT: Jane Obert, Finance Director.

Resolution Bill No. 2012-04... Designating new signatories on City of Neosho Checking Accounts held at Great Southern Bank.

Resolution Bill No. 2012-04 for Resolution 126-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to adopt Resolution Bill No. 2012-04.

Roll call vote:

Charles Collinsworth - Yes, Richard Davidson - Yes, Tom Workman - Yes.

Motion carried.

ADJOURN

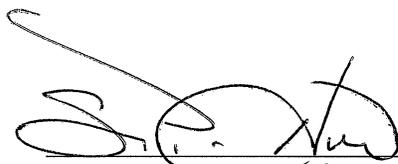
Motion was made by Councilman Collinsworth and seconded by Councilman Workman to adjourn the April 20, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the April 20, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:34 a.m.

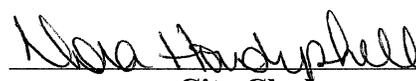
APPROVED:

NEOSHO CITY COUNCIL



Mayor Pro Tem

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
April 24, 2012 – 8:30 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 8:32 a.m.

ROLL CALL

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

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

CITY STAFF PRESENT: Jane Obert, Finance Director and David McCracken, Chief of Police.

Consider a request by Gilmore & Bell regarding the Neosho Transportation District.

City Attorney Hays stated Richard Mitchell; owner of Neosho Inn, became a resident within the TDD District on October 4, 2010 after the Assessor certified property owners for the creation of the TDD in September 2010. He further stated on September 23rd, Judge Selby issued order for election using Assessor's list presented.

Mr. Hays stated Gilmore Bell was the general counsel to the district during the time of the election regarding the imposition of its one-half cent sales tax. He further explained a TDD Representative contacted Gilmore Bell, after their current attorney, Chris Williams declined to provide an opinion, with a request to issue an opinion regarding the validity of the TDD Sales Tax to the District's lender in connection with financing.

City Attorney Hays stated due to Gilmore Bell's ongoing attorney-client relationship with the City, they are required to obtain the City's permission before they can proceed.

Mayor Davidson questioned the original deadline date of March 30th provided to the City by the TDD Board to turn in all the paperwork.

City Attorney Hays stated when posing the question to Mr. Williams he responded that the cooperative agreement needed to be done before they could get bids out but they have until the end of April to get all of the paperwork done.

Mr. Hays further stated he had not been contacted by a representative of the TDD Board or their Attorney.

Councilman Hart stated concerns regarding Gilmore Bell researching the opinion due to the fact they were the attorney at the time and should not police themselves.

City Attorney Hays gave clarification to Councilman Ruth that this would need to go before the Judge.

Mayor Davidson asked the City Attorney if there would be an impact on the City if the City signs the waiver.

City Attorney Hays stated if it goes to a legal matter, it may become a conflict for the City to use Gilmore Bell.

City Manager Royer stated city staff is currently working on a project with Gilmore Bell and would hate to see the work jeopardized.

Please Note: These are legal size pages.
Council Minutes – April 24, 2012

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the request by Gilmore Bell and authorize Mayor to execute the waiver of consent.

Roll call vote:

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

Motion failed.

ADJOURN

Motion was made by Councilman Hart and seconded by Councilman Workman to adjourn the April 24, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the April 24, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:03 a.m.

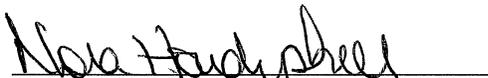
APPROVED:

NEOSHO CITY COUNCIL



Mayor Pro Tem

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
May 1, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Josh Branham gave the opening prayer and Mayor Pro Tem Hart led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director.

AMEND AGENDA:

Mayor Pro Tem Hart stated the May 1, 2012 agenda needs to be amended as follows: add approval of Resolution Bill 2012-06 under New Business and move number two (2) under new business after unfinished business and before bids.

APPROVAL OF AGENDA

Motion was made by Councilman Workman and seconded by Councilman Ruth to approve the agenda as amended.

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of April 17, 2012 Regular Session, April 20, 2012 and April 24, 2012 Special Sessions were approved as presented.

PROCLAMATION:

Mayor Pro Tem Hart stated the following proclamation was issued by the Missouri House of Representations to the City of Neosho in honor of Open Government Week.

Missouri House of Representatives



Resolution

Whereas, the members of the Missouri House of Representatives feel it is altogether right and proper to pause from time to time during the course of their diverse daily legislative activity to observe the political base of our nation's governmental principles: local government; and

Whereas, the members now pause to recognize Neosho, Missouri, and its mayor, Richard Davidson, which will observe the week of April 30 to May 4, 2012, as Local Government Week; and

Whereas, the goal of Local Government Week is to heighten the awareness of the crucial role local government in the American body politic and to pull into relief the many roles that government plays in the day-to-day lives of citizens of the communities they serve, individually and collectively; and

Whereas, Local Government Week traces its roots to the combined efforts of the Missouri Municipal League, the Missouri Association of Counties, and the Missouri School Boards Association to celebrate how local governments work for citizens every day; and

Whereas, the backbone of our democracy and the bedrock of our political system, local government is a testimony to liberty, freedom, and the right to representative self-government; and

Whereas, the rich tapestry of local governments in Missouri is represented by thousands of hardworking citizen officials, many of whom serve without compensation; and

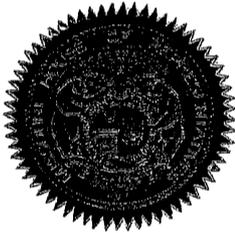
Whereas, through education and awareness, the importance of local governments can be communicated to citizens, state legislators, and the news media; and

Whereas, recognition of local governments' accomplishments will give Neosho residents a better understanding of how essential local services are provided; and

Whereas, Local Government Week focuses attention on the need for strong, independent, and active local government in the state and recognizes the valuable contributions made by residents serving their communities in public office;

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Ninety-sixth General Assembly, join unanimously to salute Local Government Week and to encourage all of the citizens of Neosho to engage in appropriate activities, events, and programs in observance of the vital role local government plays in their daily lives; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution to Mayor Richard Davidson on behalf of Neosho, Missouri.



Offered by Bill Reiboldt
Representative Bill Reiboldt
District No. 130

I, Steven Tilley, Speaker of the House of Representatives, Ninety-sixth General Assembly, Second Regular Session, do certify that the above is a true and correct copy of House Resolution No. 2351, adopted April 23, 2012.

Steven Tilley
Steven Tilley, Speaker

"Salus Populi Suprema Lex Esto"

VISITORS BUSINESS

Robert Betz – Burr Crossing

Mr. Betz stated he would like to wait for Council to discuss the Resolution Bill No 2012-05.

UNFINISHED BUSINESS

Bill No. 2012-487...Providing for the amendment of Code Sections 710.010, 710.020 and 710.030 and the Repeal of Code Section 710.110; All within Chapter 710, Water, of the City Code of Ordinances; and Declaring Code Section 710.110 to be null and void and of no effect...2nd and 3rd Reading.

Bill No. 2012-487 for Ordinance No. 500-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-487 on second and third readings and authorize Mayor Pro Tem to execute.

Roll call vote:

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

Motion carried.

Resolution Bill No. 2012-05...Authorizing the refunding of Special Obligation Bond Issue 2003 and refinancing of associated costs in the total amount of approximately \$860,006.50.

Resolution Bill No. 2012-05 for Resolution 127-2012 was read by title only by Mr. Hays.

City Manager Royer stated the Special Obligation Bond 2003 is currently callable and able to be refunded which will lower the interest rates and will also allow the City to release approximately 280 acres of property in the industrial park and only encumber the new public works facility under the Certificates of Participation Series 2012A and 2012B.

Mr. Robert Betz from visitor business addressed council and gave an overview of events that transpired beginning in 1986, when he and Mr. Bond sold the property to the City. He further stated if the City proceeds to rezone this property industrial, he would expect a financial reimbursement for his loss.

Councilman Ruth stated at this time, he has no knowledge of the City considering rezoning that property to industrial.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to adopt Resolution Bill No. 2012-05 and authorize Mayor Pro Tem to execute.

Roll call vote:

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

Motion carried.

BID

The following bid recommendations were presented for consideration.

Golf Course – Fertilizer

Justin Beck, Golf Course Manager, informed the council there were two bidders for the fertilizer and recommended the council accept the bid from GreensPro in the amount \$8,236.50 because they were the only bidder to meet all bid specifications.

**GOLF COURSE – FERTILIZER
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., April 26, 2012 at City Hall. Present for the opening were Justin Beck and Nora Houdyshell.

The following bids were received by:

Agra Turf	\$7,732.10
GreensPro	\$8,236.50

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to GreensPro in the amount of \$8,236.50.

Roll call vote:

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

Motion carried.

Code Enforcement – Security System Monitoring and Repair

John Harrington, Code Enforcement Officer, informed the council there were three bidders for the security system monitoring and repair and recommended the council accept the bid from U.S. Alarm & Electrical in the amount \$16.00 per month for each location and \$38.50 per for labor.

CODE ENFORCEMENT – SECURITY SYSTEM MONITORY AND REPAIR SERVICES
BID OPENING SUMMARY

The following bids were received by:

US Alarm & Electrical	\$16 per month per building Labor \$38.50 per man hour during business hours Nights, weekends and holidays \$68.50 per hour.
S&S Security Systems	\$16 per month per building Labor \$45 per hour for first 2 hours then \$25 after
Federal Protection	\$21 per month per building Labor \$75 per hour

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to U.S. Alarm & Electrical for security monitoring and repair services and authorize Mayor Pro Tem to execute.

Councilman Workman asked Mr. Harrington if both concession stands at Morse Park were included in this bid.

Discussion followed.

Motion was made to amend the current motion by Councilman Collinsworth and seconded by Councilman Workman to award the bid to U.S. Alarm & Electrical and authorize Mayor to execute upon including the two concession stands at Morse Park being included.

Roll call vote:

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

Motion carried.

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to U.S. Alarm & Electrical for security monitoring and repair services and authorize Mayor Pro Tem to execute as amended.

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

Motion carried.

Public Works Department – Water Meters

Mike Hightower, Public Works Director, informed the council there were two bidders for the water meters and recommended the council accept the bid from HD Supply, in the amount \$54,175.

PUBLIC WORKS DEPARTMENT – WATER METERS
BID OPENING SUMMARY

The bid opening was held at 10:00 a.m., April 3, 2012 at the Public Works Building. Present for the opening were Stacey Barnes and Ryan Long.

Council Minutes – May 1, 2012

The following bids were received by:

Water Products Co.

AMCO Brand

- 200-1/2” meters - \$28.50 each
- 200-3/4” meters - \$82.50 each
- 15- 2” meters - \$322.50 each
- 10 – 1 ½” meters - \$379.00 each

TOTAL: \$41,627.50

HD Supply Waterworks

Sensus SR II Brand

- 200-1/2” meters - \$118.00 each
- 200-3/4” meters - \$118.00 each
- 15- 2” meters - \$575.00 each
- 10 – 1 ½” meters - \$415.00 each

TOTAL: \$59,975.00

Sensus Accu Stream Brand

- 200-1/2” meters - \$89.00 each
- 200-3/4” meters - \$89.00 each
- 15- 2” meters - \$575.00 each
- 10 – 1 ½” meters - \$415.00 each

TOTAL: \$48,375.00

Iperl Brand

- 200-1/2” meters - \$111.50 each
- 200-3/4” meters - \$111.75 each
- 15- 2” meters - \$575.00 each
- 10 – 1 ½” meters - \$415.00 each

TOTAL: \$57,425.00

Mr. Hightower further stated these were all touch screen, easily adapted and easy to read. Mr. Hightower stated the following is proposed for council approval to purchase for the water improvement project:

15 – 2” Sensus meter	\$575.00 each	Total \$8,625.00
10 – 1 ½” Sensus meter	\$415.00 each	Total \$4,150.00
200 – ¾” Accu stream	\$89.00 each	Total \$17,800.00

Mr. Hightower stated the following is proposed for council approval to purchase for the change out program:

100 – ½” SRII	\$118.00 each	Total \$11,800.00
100 – ¾” SRII	\$118.00 each	Total \$11,800.00

Mr. Hightower stated the total purchase price is \$54,175.00

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to award bid to HD Supply in the amount of \$54,175.

Roll call vote:

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

Motion carried.

Public Works Department – Asphalt Roller & Trailer

Mike Hightower, Public Works Director, informed the council there were three bidders for the asphalt roller and trailer and recommended the council accept the bid from Victor L. Phillips for a used roller in the amount of \$24,950 and a trailer in the amount \$7,110 with a total of \$32,060. He further stated this would greatly enhance quality of repairs.

**PUBLIC WORKS DEPARTMENT – ASPHALT ROLLER & TRAILER
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., April 17, 2012 at the Public Works building. Present for the opening were Stacey Barnes, Mike Hightower and Adam Whimpey with the City of Neosho and Pat Welshofer with Murphy Tractor & Equipment, Bill Ewan with Victor L. Phillips Co and Audy Holman with Fabick Cat.

The following bids were received by:

	USED ROLLER	NEW ROLLER	TRAILER
Victor L. Phillips	\$24,950	No Bid	\$7,110
Murphy Tractor & Equip	\$25,100	\$33,767	\$12,000
Fabick CAT	\$27,900	\$37,000	\$6,400
		\$34,500	
Volvo	No Bid	No Bid	No Bid
CMW Equipment	Bid did not meet deadline		

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to award bid to Pace Analytical with an annual cost in the amount of \$32,544.

Councilman Ruth stated due to the warranty and hours he would not be opposed to purchasing the new roller.

Discussion followed.

Mayor Pro Tem Hart suggested tabling this matter until the next regular scheduled council meeting for Mr. Hightower to review options of purchasing new equipment versus used equipment.

Discussion followed.

Roll call vote:

Tom Workman - No, Charles Collinsworth - No, Steve Hart – No, David Ruth – No.

Motion failed.

Fire Department – Outdoor Warning Sirens

Mike Eads, Fire Chief, informed the council there were six bids were solicited but one bid received for the outdoor warning sirens and recommended the council accept the bid from Blue Valley Public Safety to purchase the equipment needed to update the outdoor warning sirens and add one new siren in Morse Park in the amount \$108,795.14.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to Blue Valley Public Safety in the amount of \$108,795.14.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-488...Providing that Chapter 405 of the Code of Ordinances, City of Neosho, Missouri, be amended by adding Section 405.091, Redevelopment District of said Code, and setting an effective date thereof...1st Reading.

Bill No. 2012-488 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-488 on first reading.

City Attorney Hays stated as directed by Council, Bill No. 2012-488 is being presented to address the zoning issues as it relates to the Redevelopment District.

Councilman Ruth stated disagreement relating to the height and area regulations.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Ruth to amend the original motion to pass Bill No. 2012-488 on first reading by deleting B 1-5.

Roll call vote:

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

Motion carried.

Motion was made to amend the original motion by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-488 on first reading as amended.

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

Motion carried.

Public Hearing regarding an application submitted by Earl and Kathleen Reynolds for a Special Use Permit to operate a beauty salon in an R-3, Apartment House District Classification, located at 336 W. McCord Street.

Mayor Pro Tem Hart read the recommendation from the Planning and Zoning Commission in its entirety and opened the floor for public comment.

MEMORANDUM

TO: Neosho City Council
FROM: Neosho Planning and Zoning Commission
DATE: April 10, 2012
RE: An application submitted by Earl and Kathleen Reynolds for a Special Use Permit to operate a beauty salon in an R-3, Apartment House District Classification, located at 336 W. McCord Street.

The Neosho Planning and Zoning Commission met in regular session on April 10, 2012, with the following commissioners in attendance: Kevin Bartley, Louise Estes, Cary Norman, David Yates, Julie Kruse and Travis Adams.

Following a public hearing and upon a motion duly made and seconded, the Commission voted unanimously to recommend that the Neosho City Council approve a Special Use Permit to operate a beauty salon in an R-3, Apartment House District Classification, located at 336 W. McCord Street.

/s/ Kevin Bartley, Chairman

Andrew Hamby – Adjacent Property Owner

Mr. Hamby addressed the council requesting they not approve this application. He provided photos and survey stating there are parking and safety concerns due to the size of the property located at 336 W. McCord Street.

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There being no comments from the public, Mayor Pro Tem Hart closed the public hearing.

Consider permission to place Medical Lodge sign on Neosho City property.

Mr. John Harrington, Code Enforcement stated The Medical Lodge located at 400 West Lyon Drive has a sign located on City property. He further stated their sign was damaged by weather and would like to replace it.

Discussion followed.

It was the consensus of the Council to not allow new signs on City property.

Consider approval of the Amendment to the Electric Service Agreement.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to amend the Electric Service Agreement with Empire District Electric to replace one street light at the Southwest corner of Lincoln and Coler and authorize the Mayor Pro Tem to execute same.

Roll call vote:

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

Motion carried.

Consider approval of Relay for Life Fireworks display

Fire Chief Eads stated this is an annual event that brings awareness and raises much needed money for the support of research, education and services to cancer patients in our county. He further stated they would like permission to set off fireworks in an area behind the High School.

It was the consensus of the Council to approve the fireworks display for the Relay for Life event.

Resolution Bill No. 2012-06...Acknowledging the Election of a Neosho Transportation Development District Board of Director Member to be Elected at an Annual TDD Board Meeting and Empowering the City Manager or Mayor to Nominate and Cast a Vote for such Representation.

Resolution Bill No. 2012-06 for Resolution 128-2012 was read by title only by Mr. Hays.

City Attorney Hays stated a Resolution Bill was presented at the prior council meeting empowering the City Manager or Mayor to nominate and cast a vote for a director member of the TDD Board for an election to be held in April. He further stated that the TDD Board did not hold such election.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to adopt Resolution Bill No. 2012-06 and authorize Mayor Pro Tem to execute.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Jane Obert, Finance Director – Open House

Ms. Obert stated City Hall will be hosting an open house in honor of Open Government week on Thursday from 2:00 p.m. to 4:00 p.m.

Troy Royer, City Manager – Water Drain Issue

Mr. Royer presented a report to council pertaining to Clifton Kerr's request for curbing on his property for a drainage issue along with cost estimates. He stated after investigation conducted by himself and Mike Hightower, Public Works Director, this issue was not caused by negligence on behalf of the City.

Discussion followed.

Mr. Hightower stated he has ideas that may address some of Mr. Kerr's concerns he would like to discuss with the City Manager.

It was the consensus of the Council for City staff to review other options.

Troy Royer, City Manager – Human Resource Director

Mr. Royer introduced Pam Baker as the City's Human Resource Director.

John Harrington, Code Enforcer – Animal Control Report

Mr. Harrington reported activity of the Animal Control Department and stated there has been revenue generated in the amount of \$2,785 so far. He further stated for all of 2011 the revenue was \$1,138.

City Manager Royer commended John Harrington and Roman Pacheco for a job well done.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Pro Tem Hart announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Pro Tem Hart announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Pro Tem announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Pro Tem Hart announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Pro Tem Hart announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

Senior Citizen Committee:

Mayor Pro Tem Hart announced one vacancy currently exists for an unexpired three-year term that began November 1, 2010 and expires October 31, 2013 due to the passing of Ramona Fare. *One letter of interest has been received by Larry Newton.*

Motion was made by Councilman Workman and seconded by Councilman Ruth to appoint Larry Newton to the Senior Citizen Committee for the unexpired term of three-years.

Roll call vote:

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

Motion carried.

Appoint council representatives to committees.

Mayor Pro Tem Hart announced the current council representatives on the board will remain the same with one addition of Mayor Richard Davidson to the TDD Board.

ADJOURN

Mayor Pro Tem Hart asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Ruth and seconded by Councilman Workman to adjourn the May 1, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the May 1, 2012 regular session council meeting.

There being no further business to come before the council, Mayor Pro Tem Hart adjourned the meeting at 9:10 p.m.

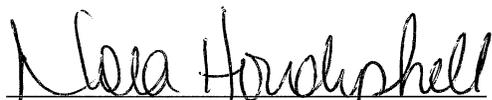
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
May 7, 2012 – 8:30 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 8:30 a.m.

ROLL CALL

COUNCIL PRESENT: Richard Davidson, Steve Hart, David Ruth, Tom Workman (Arrived at 8:35 a.m.).

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

CITY STAFF PRESENT: Jane Obert, Finance Director, Mike Eads, Fire Chief and David McCracken, Chief of Police.

Consider approval of agreement with Federal Signal Safety and Security Systems.

Fire Chief Eads stated the batteries are covered under maintenance reducing the contract amount by \$3600.

Motion was made by Councilman Ruth and seconded by Mayor Davidson to approve the amended agreement with Federal Signal Safety and Security Systems in the amount of \$81,872.12 and authorize Mayor to execute.

Roll call vote:

Richard Davidson - Yes, Steve Hart – Yes, David Ruth – Yes.

Motion carried.

Discussion of Neosho Transportation Development District Board Member Election.

City Attorney Hays stated the Neosho Transportation Development District has chosen to not call an election for Jim Cummins' expired term of April 5th.

Councilman Hart reminded council the election was held on April 5th last year and stated concerns regarding the accountability of the Board to allow a member to serve longer than he was elected for.

Mayor Davidson stated the TDD Bylaws state someone elected can serve until the election is held.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:36 a.m.

The meeting reconvened in open session at 9:34 a.m. and Mayor Davidson announced the council conferred with the city attorney and one vote was taken.

ADJOURN

Motion was made by Councilman Hart and seconded by Councilman Ruth to adjourn the May 7, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the May 7, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:35a.m.

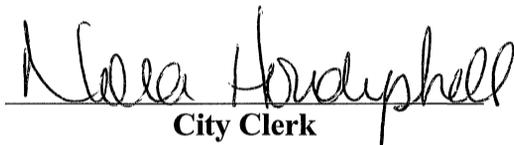
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
May 15, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jane Obert gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director; John Harrington, Code Enforcer.

AMEND AGENDA:

Mayor Davidson announced number eight under new business will be moved to number three under new business.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of May 12, 2012 Regular Session, May 7, 2012 Special Session and May 7, 2012 Special Closed Session were approved as presented.

VISITORS BUSINESS

James Lowans – SYN

Mr. Lowans stated concerns regarding the continued sale of synthetic marijuana in Neosho. He further stated he would like the city council to look into what can be done, if anything, for the welfare of our community.

Pat Cole – Dogs & Littering

Ms. Cole stated she would like to see if there is a code that addressed how many dogs can be at one residence. She further mentioned certain residences that have trash in the yards and tall grass which could be possible health concerns.

Mayor Davidson stated the Code Enforcer was in the audience taking notes of the addresses mentioned and will be following up. He further directed the City Clerk to follow up with the Code Enforcer regarding this issue.

UNFINISHED BUSINESS

Bill No. 2012-488...Providing that Chapter 405 of the Code of Ordinances, City of Neosho, Missouri, be amended by adding Section 405.091, Redevelopment District of said Code, and setting an effective date thereof...2nd and 3rd Reading.

Bill No. 2012-488 for Ordinance No. 501-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-488 on second and third readings.

Roll call vote:

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

Motion carried.

BID

The following bid recommendations were presented for consideration.

Park Department – Vending Services

John Jordan, Parks Director, informed the council there was one bidder for the vending services and recommended the council accept the bid from A1 Vending Solutions at no cost to the City plus a 20% net profit.

**PARKS DEPARTMENT – VENDING SERVICES
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., March 22, 2012, in the Lobby of City Hall. Present for the opening were Amy Moritz and Crystal Merick.

The following bids were received by:

- | | |
|----------------------|---|
| A1 Vending Solutions | 1) Provide and service all machines |
| | 2) Provide all food and beverage |
| | 3) Be responsible for fresh and desired items in each machine |
| | 4) Give 20% of net profit to the City of Neosho |

Discussion followed.

Motion was made by Councilman Ruth and seconded by Councilman Hart to award bid to A1 Vending Solutions.

Roll call vote:

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

Motion carried.

Public Works Department – Waldo Hatler Resurfacing

Mike Hightower, Public Works Director, informed the council the Neosho Special Road District awarded a contract to Swift Construction to resurface Norway Road west of the City limits. He further stated Swift Construction Co has offered to include the 2100 ft of over lay on Waldo Hatler at the same bid price of \$18.10 per linear foot for a total price of \$38,010 and recommended the council accept the bid.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Ruth to award bid to Swift Construction Co in the amount of \$18.10 per linear foot.

Roll call vote:

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

Motion carried.

Public Works Department – Asphalt Roller and Trailer

Mike Hightower, Public Works Director, reminded the council at the prior meeting the council directed him to reevaluate the difference in the cost and warranties between new and used equipment. Mr. Hightower stated there is an \$8,700 difference between the new and used and the new offers a full three year warranty. He further recommended purchasing the new roller from Murphy Tractor & Equipment for \$33,767 and the trailer from Victor L. Phillips in the amount of \$7,110.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Ruth to award bid to Murphy Tractor & Equipment in the amount of \$33,767 for the roller and Victor L. Phillips in the amount of \$7,110 for the trailer.

Roll call vote:

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

Motion carried.

Public Works Department - Electric Motor

Mike Hightower, Public Works Director, informed the council the purchase of these two motors is part of the Energize Missouri Communities Grant. He stated for the Crowder WWTP 60 hp motor there were two bidders and recommended the council accept the bid from Covert Electric Machinery in the amount of \$3,560.50 and for the WW 100 hp motor there were five bidders and recommended the council accept the bid from Covert Electric Machinery in the amount \$5,295.86.

**PUBLIC WORKS DEPARTMENT – CROWDER WWTOP MOTOR
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., May 10, 2012 at the Public Works building. Present for the opening were Mike Hightower and Duane Linch.

The following bids were received by:

Evans Enterprises	No Bid	
JCI Industries	Baldor	\$4,646
	Toshiba	\$3,250 does not meet spec
Covert Electric Machinery	Baldor	\$3,560.50

**PUBLIC WORKS DEPARTMENT – WW MOTOR
BID OPENING SUMMARY**

The bid opening was held at 10:15 a.m., April 3, 2012 at the Public Works building. Present for the opening were Stacey Barnes and Ryan Long.

The following bids were received by:

Covert Electric Machinery	Baldor	\$5,295.86 (Includes freight)
Evans Enterprises	Baldor	\$7,174.91
	Toshiba	\$5,724.75 (Plus freight)
Bearing Headquarters	Baldor	\$7,182.15
Independent	Baldor	\$7,576.00
IBT	Siemens	\$5,272 (Includes freight)

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to Covert Electric Machinery for one 100 hp in the amount of \$5,295.86 and one 60 hp at \$3,560.50 for a total of \$8,856.36.

Roll call vote:

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

Motion carried.

Public Works Department- Electric Motor VFD

Mike Hightower, Public Works Director, informed the council there were three bidders for the frequency drives for the Crowder Wastewater Plant and recommended the council accept the bid from Russell Belden Electric Company in the amount \$23,000.

**PUBLIC WORKS DEPARTMENT – VARIABLE FREQUENCY DRIVES
BID OPENING SUMMARY**

The bid opening was held at 10:20 a.m., May 10, 2012 at the Public Works Office. Present for the opening were Mike Hightower and Duane Linch.

The following bids were received by:

Evans Enterprises	\$35,496.96
JCI Industries	\$33,894.00
Joplin Supply	No Bid
Russell Belden	\$23,000.00

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to Russell Belden in the amount of \$23,000.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-489...Approving a lease purchase transaction and the delivery of refunding certificates of participation, Series 2012, for the purpose of providing funds to refinance certain outstanding obligations of the city; authorizing and approving related documents; and authorizing certain other actions in connection therewith...1st Reading.

Bill No. 2012-489 was read by title only by Mr. Hays.

City Manager Royer stated the Certificates of Participation Series 2003 are refundable allowing the City to refinance for the purpose of obtaining a lower rate of interest and releasing collateral of approximately 280 acres.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-489 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-490...Authorizing a tax and securities law compliance procedure for financial obligations of the City...1st Reading.

Bill No. 2012-490 was read by title only by Mr. Hays.

Jane Obert, Finance Director stated the IRS has increased its requirements for compliance with federal tax laws and regulations for tax-exempt and other governmental obligations.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-490 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of Change Order #3 Downtown Water Mains.

Scott Fleming with HDR|Archer stated it was necessary to change sizes of insertion valves and add different sizes of pipe due to not knowing what was underground. He further stated replacing the meter setter and meter boxes will provide an updated shut and backflow check valve and brought one to be viewed.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve Change Order No 3 in the amount of \$94,665.00 and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Spring Street Demolition Change Order #1.

Troy Royer, City Manager stated during the demolition of the Spring Street building, a portion of the concrete slab was disturbed exposing tile that contained asbestos. He further stated the tiles were under a portion of the slab between two layers of concrete. Mr. Royer stated after review and discussion with a representative from the Historical Society, a recommendation as made to address the situation at no additional cost.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve Change Order No 1 and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of a Special Use Permit.

John Harrington, Code Enforcer stated the property owners of 336 West McCord were requesting a special use permit to operate a beauty salon. He reminded council during the public hearing a neighbor stated concerns of the location of the beauty salon and parking space. Mr. Harrington provided maps showing the distance between properties and the location of the driveway. He further stated the shop would be located inside the home.

Discussion followed.

Motion was made by Councilman Ruth and seconded by Councilman Workman to approve the special use permit submitted by Earl and Kathleen Reynolds.

Roll call vote:

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

Motion carried.

Consider approval of the Division of Highway Safety Grant Application.

Police Chief McCracken stated this is an annual grant providing overtime funding for officers to do enforcement patrol in the high accident locations. He further stated this grant will be centered on driving while intoxicated enforcement.

Motion was made by Councilman Workman and seconded by Councilman Ruth to approve the application for this grant and authorize the council to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Lexis Nexis Agreement.

Mrs. Jane Obert, Finance Director stated the City adopted code changes to the water-sewer application process permitting application by telephone. She further stated to augment identity verification for telephone applicants, she is recommending approving this agreement to provide online identity verification for a monthly fee of \$100.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the Lexis Nexis Agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Allgeier, Martin and Associates Work Authorization Agreement.

Mike Hightower, Public Works Director, stated this project will consist of rehab to 59 Highway from the point south of 60 Highway where the MoDOT maintenance ends to Malcolm Mosby and a section of Lusk and Clemons. He further stated although staff is uncertain as to the overall cost for this project, Allgeier, Martin and Associates are asking for a work authorization not to

exceed \$23,248 for design and bidding and \$45,944 for construction administration and inspection.

Discussion followed.

Motion was made by Councilman Ruth and seconded by Councilman Hart to approve the work authorization agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider accepting a donation from NABIFI.

City Manager Royer stated NABIFI has offered to pay Teen Challenge for mowing of the downtown parking lot areas and getting the flowers planted in the flower boxes in the downtown area during the growing season.

Motion was made by Councilman Workman and seconded by Councilman Hart to accept the donation from NABIFI.

Roll call vote:

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

Motion carried.

Consider appointment of an Acting City Manager.

City Manager Royer stated pursuant to Article III, Section 3.05 of the City Charter, the City Manager shall designate, subject to approval of the City Council, a qualified City Official or employee to exercise the powers and perform the duties of the City Manager during the temporary absence, suspension or disability of the Manager. He recommended Police Chief McCracken to be the acting city manager.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve the appointment of Police Chief David McCracken as the Acting City until changed by City Council.

Roll call vote:

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

Motion carried.

Consider approval of the Financial Advisory Services Agreement.

City Manager Royer stated D.A. Davidson & Co performed work in December 2010 for the issuance of Waterworks System Revenue Bonds Series 2011 and discovered the agreement was never signed.

Motion was made by Councilman Workman and seconded by Councilman Ruth to approve the Financial Advisory Services agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the needs assessment agreement.

Troy Royer, City Manager stated this assessment is for the purposes of a focused physical assessment and economic analysis of the City's parks which will also assist the City in obtaining future possible funding through grants and other means for our parks and recreation services.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Ruth to approve the Land3 Studio agreement in the amount of \$7,350 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Richard Davidson, Mayor – Synthetic Marijuana

Mayor Davidson announced he spoke with State Representative Reiboldt initiating a round table discussion regarding the sale of synthetic marijuana and options.

City Attorney Hays stated this is an issue that is being addressed across the nation. He further stated the enforcement is difficult due to the makers of this drug will simply change the composition if one form of it becomes illegal.

Richard Davidson, Mayor – TIF Maps

Mayor Davidson stated the City Manager and City Attorney need to review the TIF map to ensure accuracy of the boundaries.

Richard Davidson, Mayor – TDD

Mayor Davidson stated the City has petitioned the Court regarding the TDD election. He further stated concerns regarding a meeting to be held the following day and the continued business being conducted. Mayor Davidson stated the thousands of tax payer dollars being spent on legal fees to fight the petition could have been avoided by spending \$200 to \$300 to mail out for an election.

Jane Obert, Finance Director – Financial Report

Mrs. Obert gave an overview of the current financial condition of the City including commendations for the diligence of the city staff watching their budgets.

Jane Obert, Finance Director – Faithful Friends

Mrs. Obert sated with the Animal Control Department taking animals out of town, the City has a vested interest in the success of Faithful Friends. She stated the City cannot make a donation but suggests allowing City Hall to be a drop off point for donations.

City Attorney Hays stated there would need to be a carefully worded agreement to address cash handling procedures.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davison announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davison announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Davidson announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Davidson announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Workman to adjourn the May 15, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:35 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
May 23, 2012 – 8:30 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 8:45 a.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart, David Ruth, Tom Workman (Arrived at 8:50 a.m.).

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

CITY STAFF PRESENT: Jane Obert, Finance Director and David McCracken, Chief of Police.

Consider approval of Standard & Poor's Rating Service agreement.

Troy Royer, City Manager stated for a fee of \$8,000 plus any reasonable travel and legal expenses, Standard & Poor's will provide the City's rating allowing the following: 1) help market the Certificate Of Participations (COP); 2) enable the City to obtain a better interest rate; and 3) make the COPs more secure.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the Standard & Poor's Rating Service agreement and Mayor to execute.

Roll call vote:

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

Motion carried.

Neosho Transportation Development District

Mayor Davidson stated the TDD Board has stated they are unable to conduct business at this time and opened the floor for discussion as it pertains to the traffic light installation at Kodiak and 60. He further stated possibilities of cost share with MODOT or use of TIF funds.

City Manager Royer stated he spoke with Becky Baltz with MODOT and she stated the City would have the following three options: 1) stick to the TDD plan; 2) apply for a cost share grant; or 3) City pays for the entire expense.

Discussion followed.

Mayor Davidson directed City Manager Royer to obtain the grant application and options to be discussed at the June 5th council meeting.

It was the consensus of the Council to direct the City Clerk to submit a sunshine request to Kathy Gambill requiring the sales tax revenue to date received by the TDD.

ADJOURN

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to adjourn the May 23, 2012 Special Session City Council meeting.

Council Minutes – May 23, 2012

It was the consensus of the council to adjourn the May 23, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:26 a.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES
NEOSHO CITY COUNCIL
June 5, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO**

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Charles Collinsworth gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks; Billy Sallee, Airport Manager and Recreation Director; John Harrington, Code Enforcer.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of May 15, 2012 Regular Session and May 23, 2012 Special Session were approved as presented.

VISITORS BUSINESS

Billy Sallee – Special Thanks

Mr. Sallee thanked the City Council and City Staff for their support.

UNFINISHED BUSINESS

Bill No. 2012-489...Approving a lease purchase transaction and the delivery of refunding certificates of participation, Series 2012, for the purpose of providing funds to refinance certain outstanding obligations of the city; authorizing and approving related documents; and authorizing certain other actions in connection therewith...2nd and 3rd Reading.

Council Minutes – June 5, 2012

Shred-It \$6.00-\$8.00 per box plus a \$5.00 fuel surcharge
96 lbs shredding bin - \$65.00 per pickup plus \$5.00 fuel surcharge

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to award bid to Ironwood Shredding.

Roll call vote:

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

Motion carried.

Airport – Hay & Seed

Billy Sallee, Airport Manager, informed the council there were six bidders for hay and seed services for the airport and recommended the council accept the bid from Larry Newton in the amount \$2,500. Mr. Sallee further stated that Mr. Newton had the lease for 15 years prior to Mr. Lake being awarded the bid last year. He stated that Mr. Lake had the option to renew his agreement for another and year and chose not to.

**AIRPORT – SEED AND HAY LEASE
BID OPENING SUMMARY**

The bid opening was held at 2:00 p.m., April 25, 2012 in the City Hall Conference Room. Present for the opening were Angela Cossou and Billy Sallee with the City of Neosho, Shane Lake, Larry Newton and Jimmy Morgan of Morgan Backhoe.

The following bids were received by:

Shane Lake	\$2,650
Larry Newton	\$2,500
Morgan Backhoe	\$1,657
Tony Bussey	\$ 900
Robert White	\$ 875
Seth Sheehan	\$ 725

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to award bid to Larry Newton in the amount of \$2,500.

Roll call vote:

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

Motion carried.

City Manager – Bike and Pedestrian Trail

Troy Royer, City Manager, stated this is Phase II of the bike and pedestrian trail project through Morse Park starting at Spring Street and running South through the City soccer fields to Highway 86. Mr. Royer stated this project was initiated in late 2010 and funded by the 80% MODOT STP Grant with a local 20% match donation from NABIFI. City Manager Royer informed council the project was budgeted for \$183,500 based on an estimated base amount of \$146,800 for an alternate amount of \$174,129 for concrete. He further informed the council there were six bidders for the construction phase ranging from \$181,516 to \$210,346 for asphalt and \$191,860 to \$253,931 for concrete. Mr. Royer stated support of Allgeier, Martin and Associates recommendation for approval of the lowest alternate bid for a concrete trail of \$191,860 to Bennett, Inc. with the additional funds of \$45,060 coming from the general fund.

Mayor Davidson reminded City Staff to verify payment turn around time in the contract.

BID OPENING SUMMARY

The following bids were received by:

Branco Enterprises	\$200,048.50	Snyder Construction	\$221,407.50
Ground Breaking Exc	\$233,812.00	Bennett, Inc.	\$191,860.00
Sprouls Construction	\$253,931.00	Crossland Heavy Cont	\$205,276.10

Council Minutes – June 5, 2012

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to award bid to Benent, Inc. in the amount of \$191,860.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-491...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2011 and ending September 30, 2012...1st Reading.

Bill No. 2012-491 was read by title only by Mr. Hays.

Jane Obert, Finance Director gave an overview of the consolidated budget amendment.

Mayor Davidson complimented Ms. Obert as it pertains to the detail and itemization of the adjustment.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-491 on first reading.

Roll call vote:

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

Motion carried.

Resolution Bill No. 2012-07...Stating the Neosho City Council's opposition to non-prescription synthetic cannabis products and other herbal substitutes for marijuana.

Resolution Bill No. 2012-07 for Resolution 129-2012 was read by title only by Mr. Hays.

Mayor Davidson stated this Resolution Bill is in response to last meetings visitor business.

Motion was made by Councilman Workman and seconded by Councilman Hart to adopt Resolution Bill No. 2012-07.

Roll call vote:

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

Motion carried.

Consider approval of the Faithful Friends Animal Advocates donations collection agreement.

Jane Obert, Finance Director stated it is in the best interest of the City and Faithful Friends Animal Advocates that an adoption center be established in Neosho and would recommend entering into an agreement allowing the City to collect donations on its behalf.

Council Minutes – June 5, 2012

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the agreement with Faithful Friends Animal Advocates and authorize the Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Carthage Humane Society agreement.

John Harrington, Code Enforcement Officer stated the City has no facilities to hold animals and recommended entering into an agreement with Carthage Humane Society. He further stated this would allow the Animal Control Officer to transport any unclaimed animals to Carthage.

Discussion followed.

City Attorney Hays stated the City could terminate taking animals to Carthage shelter at anytime.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the agreement with Carthage Humane Society and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider request for water service at 2900 Oakridge Extension.

John Harrington, Code Enforcement Officer stated Mr. and Mrs. Melendez are not contiguous with city limits but have executed an Irrevocable Consent to annex for use of city water.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the Irrevocable Consent and allow connection to city water.

Roll call vote:

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

Motion carried.

Consider approval for applying for an AFG grant.

Fire Chief Eads stated the Assistance to firefighters Grant application period is anticipated to open in mid June. He further stated the 2011 AFG grant request was denied. Chief Eads recommended the council give their approval for the fire department to apply for an AFG grant for the 2012-2013 calendar years.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to approve the fire department to apply for the AFG grant.

Roll call vote:

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

Motion carried.

Council Minutes – June 5, 2012

Consider approval of Haggard's Excavating Change Order #1.

Mike Hightower, Public Works Director stated the original contract with Haggard's Excavating for curb replacement was for 236 feet of curb. He further stated once the replacement process started they identified an additional 116 feet that needed replaced.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve Change Order No 1 with an increased amount of \$6,148 to Haggard's Excavating.

Roll call vote:

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

Motion carried.

Consider approval of the Celebrate Neosho Fund.

John Jordon, Parks Director stated there is currently \$4,000 budgeted for Celebrate Neosho expenses and transfer from Hotel/Motel Tax Fund, and \$100 budgeted for booths. He further stated staff is asking the budget be adjusted to reflect the expectation of receiving \$1,200 in miscellaneous revenues from the event, total expenditures of \$15,800 and total transfer from Hotel/motel tax in the amount of \$14,600. Mr. Jordon stated Celebrate Neosho will be held on June 30th with a scheduled 5K run, car and bike show, kid fishing and nighttime air show before the fireworks.

Mayor Davidson asked if the Chamber of Commerce has offered to help.

Mr. Jordon stated the staff has reached out to them but have received no reply.

Mayor Davidson directed City Manager Royer to ask Mr. Garrow to help get word out and get involved.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve the city budget amendment as presented.

Roll call vote:

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

Motion carried.

Consider approval of the Younkin Airshows agreement.

Parks Director Jordon stated the agreement is for an air show scheduled for Celebrate Neosho titled "Magic by Moonlight".

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the agreement with Younkin Airshows and authorize Mayor to execute contingent on receipt of events insurance.

Roll call vote:

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

Motion carried.

Council Minutes – June 5, 2012

Consider approval of the Amendment to the Electric Service Agreement.

Public Works Director Hightower stated this is to amend the agreement for a bulb replacement at the intersection of Dewey and S. High Street.

Motion was made by Mayor Davidson and there being no second, the motion was no longer discussed or passed.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Rating

Mr. Royer reviewed the report from Standard & Poores and the “A” rating the City received.

Troy Royer, City Manager – City Pool Ribbon Cutting

Mr. Royer announced a ribbon cutting at the Neosho Municipal Pool scheduled for June 8 at 11:00 a.m. to recognize the hard work of city staff, the founders of the pool and the students that painted murals.

Troy Royer, City Manager – Missouri Department of Conservation Regional Meeting

Mr. Royer stated it is an honor for Neosho to be those of the Missouri Department of Conservation which will be held the following weekend at the Civic Center.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davison announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

City County Library Board:

Mayor Davidson announced one vacancy will exist for a term of three years that will beginning July 1, 2012 and one letter of interest has been received from Kerri Collinsworth.

Motion was made by Councilman Hart and seconded by Councilman Workman to reappoint Keri Collinsworth to the City County Library Board for a term of three years beginning July 1, 2012.

Roll call vote:

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

Motion carried.

Economic Development Sales Tax Committee:

Mayor Davison announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Council Minutes – June 5, 2012

Golf Course Committee:

Mayor Davidson announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Davidson announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:10 p.m.

The meeting reconvened in open session at 9:10 p.m. and Mayor Davidson announced the council conferred with the city attorney and no action or vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to adjourn the June 5, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the June 5, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:10 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
June 19, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jim Hardwicke gave the opening prayer and Mayor Pro-Tem Hart led the Pledge of Allegiance.

A quorum being present, Mayor Pro-Tem Hart called the meeting to order at 7:00 p.m.

ROLL CALL

COUNCIL PRESENT: Steve Hart, David Ruth, Tom Workman.

ABSENT: Richard Davidson and Charles Collinsworth

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director.

EXECUSED ABSENCE:

Motion was made by Councilman Workman and seconded by Councilman Ruth to execute Councilman Charles Collinsworth and Mayor Richard Davidson from the June 19, 2012 council meeting.

It was the consensus of the council to approve the excused absence of Councilman Charles Collinsworth and Mayor Richard Davidson from the June 19, 2012 council meeting.

APPROVAL OF AGENDA

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

Roll call vote:

Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes.

Motion carried.

CONSENT AGENDA:

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

Roll call vote:

David Ruth – Yes, Tom Workman - Yes, Steve Hart - Yes.

Motion carried.

MINUTES:

The minutes of June 5, 2012 Regular Session and June 5, 2012 Closed Session were approved as presented.

PROCLAMATION:

Mayor Pro Tem Hart stated the following proclamation was issued on June 28, 2012.

WHEREAS, the Neosho City Council recognizes selected Employers of our Community for their contribution to the Growth of our Economic Development Base and overall support to the Neosho local Economy; and

WHEREAS, *Family Market, L.L.C.* was founded with great pride on June 27th, 2002 by Business Partners and Good Friends Les Rainwater and Steve Horine.; and

WHEREAS, *Family Market, L.L.C.* began operations with eight employees dedicated to providing a friendly “Neighborhood Market” atmosphere, and they have accomplished that as they celebrate their 10th Anniversary ; and

WHEREAS, *Family Market L.L.C.* from its inception remains strongly committed to their original concept for quality food and superior service. Their philosophy is “*to provide Neosho and the surrounding Community with the finest quality of fresh meats, fresh produce and groceries, and to maintain the area’s best customer service*”; and

WHEREAS, Family Market L.L. C. and their highly motivated Team of Fifteen Employees continues to serve the Neosho Community and Area from an updated and convenient 4,000 square foot building in a high traffic area ; and

NOW THEREFORE, I, Richard Davidson, Mayor of the City of Neosho, do hereby proclaim ***Family Market L.L.C.*** to be Neosho’s Employer of the Month for July, 2012. We extend our Congratulations to the Staff Members for their continuous dedication to providing excellence in the Food Industry Business.

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 28th day of June, 2012.

/s/ Richard Davidson, Mayor

VISITORS BUSINESS

There was none.

UNFINISHED BUSINESS

Bill No. 2012-491...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading.

Bill No. 2012-491 for Ordinance No. 504-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Ruth and seconded by Councilman Workman to pass Bill No. 2012-491 on second and third readings.

Roll call vote:

Tom Workman - Yes, Steve Hart – Yes, David Ruth – Yes.

Motion carried.

BID

The following bid recommendations were presented for consideration.

Public Works – Electrical Work/Crowder WWTP Energy Grant

Mike Hightower, Public Works Director, informed the council there were three bidders solicited for the electrical work at Crowder WWTP and one was received. Mr. Hightower recommended the council accept the bid from Long Electric in the amount \$9,188.

**PUBLIC WORKS DEPARTMENT – ELECTRICAL WORK-CROWDER WWTP
BID OPENING SUMMARY**

The bid opening was held at 10:02 a.m., June 12, 2012 at the Public Works Department. Present for the opening were Stacey Barnes and Jerry Humphrey with the City of Neosho and Tom Long with Long Electric.

The following bids were received by:

Long Electric	\$9,188
---------------	---------

No bid received from: Joplin Industrial Electric and Bills Electric Inc.

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to Long Electric in the amount of \$9,188 and authorize Mayor to execute.

Roll call vote:

Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes.

Motion carried.

Park Department – Pool Sound System

John Jordon, Parks Director, informed the council there were two bidders for the pool sound system and recommended the council accept the bid from Total Electronics Contracting, Inc., in the amount \$6,331.66.

**PARKS DEPARTMENT – POOL SOUND SYSTEM
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., June 11, 2012 in the Lobby of City Hall. Present for the opening were John Jordon and Amy Moritz.

The following bids were received by:

GNA Technologies, LLC	\$8,283.96
Total Electronics Contracting, Inc.	\$6,331.66

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to Total Electronics Contracting, Inc. in the amount of \$6,331.66.

Discussion followed.

Roll call vote:

David Ruth – Yes, Tom Workman - Yes, Steve Hart – Yes.

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-492...Providing that the budget for the Fiscal Year 2011-2012 be amended to provide for an increase in the transfers, revenues and expenditures of the Celebrate Neosho line items of the Park Fund and the transfer to Parks line item of the Hotel/Motel Tax Fund for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...1st Reading.

Bill No. 2012-492 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Ruth to pass Bill No. 2012-492 on first reading.

Councilman Ruth asked if there had been additional donations to Celebrate Neosho.

Mr. Jordon stated sponsorships had been obtained to cover the expense of the 5K and donations of water but nothing further.

City Manager Royer stated Mr. Jordon held a public planning meeting for Celebrate Neosho and other than city staff; Kyle Penn was the only attendee. Mr. Royer also stated the Neosho Chamber has been contacted. He stated the Chamber will be meeting on June 21st and will let the City know at that time if they will be able to donate to the Celebrate Neosho event.

Councilman Ruth thanked staff for working hard to make this a great event.

Councilman Hart also thanked staff and encouraged local businesses to get involved.

Discussion followed.

Roll call vote:

Tom Workman - Yes, Steve Hart – Yes, David Ruth – Yes.

Motion carried.

Bill No. 2012-493...To authorize the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing State Block Grant Funds for Project No. 12-096A-2, to update the property map at the Hugh Robinson Memorial Airport from H. W. Lochner, Inc...1st Reading.

Bill No. 2012-493 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Ruth to pass Bill No. 2012-493 on first reading.

City Manager Troy Royer gave an overview.

Roll call vote:

Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes.

Motion carried.

Consider approval of disbursement for closing costs of 2012A & 2012B COP refunding.

Motion was made by Councilman Workman and seconded by Councilman Ruth to approve the disbursement of closing costs of 2012A & 2012B COP refunding and authorize Jane Obert to execute as Authorize Representative.

City Manager Troy Royer gave an overview and requested Jane Obert, Finance Director to be designated representative.

Roll call vote:

David Ruth – Yes, Tom Workman - Yes, Steve Hart – Yes.

Motion carried.

Consider approval of the Amendment to the Electric Service Agreement (Dewey and S. High Street).

Motion was made by Councilman Workman and seconded by Councilman Hart to amend the Electric Service Agreement with Empire District Electric to add a street light at Dewey and S. High Street and authorize the mayor to execute same.

Councilman Ruth stated he would like a representative from Empire Electric to come to the next meeting and explain the benefits of changing the bulbs and why it costs more.

Discussion followed.

Roll call vote:

Tom Workman - No, Steve Hart – Yes, David Ruth – Yes.

Motion failed.

It was the consensus of the council to direct the City Clerk to provide the original Electric Empire Agreement at the next council meeting.

REPORT OF CITY OFFICERS

Troy Royer – Neosho R5 School Cross Country

Mr. Royer reported discussions with the Cross Country Coach and the desire for the school to utilize the decommissioned nine holes of the golf course for practices and track meets.

Councilman Workman was concerned about parking.

It was the consensus of the council to allow the Neosho R5 School Cross Country Team to utilize the decommissioned nine holes at the golf course for practices and track meets.

Troy Royer, City Manager – Water Projects

Mr. Royer gave an overview of current water projects, deadlines and monies spent to date.

Councilman David Ruth – Sewer Fees

Councilman Ruth stated he would like to see city staff look into an alternative method of the water/sewer charges for citizens that water their lawns during dry seasons.

Councilman Steve Hart – Park and Golf Boards

Councilman Hart stated he would like for council to combine the park and golf boards.

It was the consensus of the council to direct City Manager Royer to review the option of combining the park and golf boards.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Pro-Tem Hart announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Pro-Tem Hart announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Pro-Tem Hart announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Pro-Tem Hart announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Pro-Tem Hart announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

CLOSED MEETING:

Motion was made by Councilman Workman and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

Steve Hart – Yes, David Ruth – Yes, Tom Workman - Yes.

Motion carried.

Mayor Pro-Tem Hart closed the meeting at 7:45 p.m.

The meeting reconvened in open session at 8:58 p.m. and Mayor Pro-Tem Hart announced the council conferred with the city attorney and no action or vote was taken.

ADJOURN

Mayor Pro-Tem Hart asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Workman to adjourn the June 19, 2012 Regular Session City Council meeting.

Roll call vote:

David Ruth – Yes, Tom Workman - Yes, Steve Hart – Yes.

Motion carried.

There being no further business to come before the council, Mayor Pro-Tem Hart adjourned the meeting at 9:02 p.m.

APPROVED:

NEOSHO CITY COUNCIL

A handwritten signature in black ink, consisting of several large, overlapping loops, positioned above a horizontal line.

Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'Nora Houdyshell', positioned above a horizontal line.
City Clerk

MINUTES
NEOSHO CITY COUNCIL
July 3, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Charles Collinsworth gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

ABSENT: City Attorney Steve Hays

CITY STAFF PRESENT: Mike Eads, Fire Chief; Duane Linch, Public Works; Pam Baker, Human Resources Director; David Kennedy, Police Department

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of June 19, 2012 Regular Session and June 19, 2012 Closed Session were approved as presented.

VISITORS BUSINESS

Mr. Estes – Handicap Parking and No Bicycle Signs

Mr. Estes stated there should be three handicap parking spaces in front of the Newton Hotel as well as signs stating no bicycles or skateboards on sidewalks.

Francis Biss – Veterans

Mr. Biss stated concerns regarding meeting arrangements for the American Legion.

UNFINISHED BUSINESS

Bill No. 2012-492...Providing that the budget for the Fiscal Year 2011-2012 be amended to provide for an increase in the transfers, revenues and expenditures of the Celebrate Neosho line items of the Park Fund and the transfer to Parks line item of the Hotel/Motel Tax Fund for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading.

Bill No. 2012-492 for Ordinance No. 505-2012 was read by title only by City Clerk Houdyshell.

Motion was made by Councilman Ruth and seconded by Councilman Workman to pass Bill No. 2012-492 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-493...To authorize the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing State Block Grant Funds for Project No. 12-096A-2, to update the property map at the Hugh Robinson Memorial Airport from H. W. Lochner, Inc...2nd and 3rd Reading.

Bill No. 2012-492 was read by title only by City Clerk Houdyshell.

City Manager Royer stated he was notified the match percentages have changed due to the FAA Modernization Act and requested Council to fail Bill No. 2012-493.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to pass Bill No. 2012-492 on second and third readings.

Roll call vote:

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

Motion failed.

BID

There were none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-494...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2011 and ending September 30, 2012...1st Reading.

Bill No. 2012-494 was read by title only by City Clerk Houdyshell.

Mr. Duane Linch, Public Works stated the budget adjustment is due to increased rates for surcharges collected from industry for their increased organic load discharged, chemicals, hours of operation and equipment repair.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to pass Bill No. 2012-494 on first reading.

Council Minutes – July 3, 2012

Roll call vote:

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

Motion carried.

Consider approval of Changer Order #3 for peak flow basin.

Scott Fleming with HDR|Archer stated the change order to Branco Enterprises is to increase the contract amount by \$600,000 and a period of 120 calendar days commencing on July 9, 2012. He further stated HDR Engineering will reimburse the City for repair and reinforcement of the holding basin walls for the peak flow basin.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve Change Order #3 to Branco Enterprises.

Roll call vote:

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

Motion carried.

Consider acceptance of the Missouri Statewide Communications Assistance Program grant.

Fire Chief Eads stated this was the same grant the Police Department applied for and there were three radios approved with a 100% match.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the Missouri Statewide Communications Acceptance Program Grant and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval to apply for Assistance to Firefighters Grant.

Fire Chief Eads stated FEMA announced that the Assistance to firefighters Grant application period is anticipated to open in mid June for the 2012 year. He further stated if the grant is received he would be applying for a pumper with equipment and training. Mr. Eads informed council this would obligate the city to a match 5% equating to approximately \$20,000.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to approve the application for the AFG Grant.

Roll call vote:

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

Motion carried.

Council Minutes – July 3, 2012

Discussion - Municipal Electric Service Agreement.

City Manager Royer stated that Council directed he contacted Mr. Rick Hendricks with Empire District to speak at the council meeting regarding the empire electric agreement. Mr. Hendricks regrettably could not attend this meeting but had made arrangements to attend the next council meeting.

It was the consensus of the council to delay conversation until the next regular scheduled council meeting.

REPORT OF CITY OFFICERS

City Manager Royer – Combining Park Board and Golf Committee

Mr. Royer stated he reviewed city code and state statutes and recommends combining the park board and golf committee. He further stated that Joplin and Springfield have combined boards.

City Manager Royer – Sewer Rates

Discussion was held regarding options to provide sewer rate discounts to citizens during summer months and the impact on the Enterprise Fund as well as DNR requirements.

City Manager Royer was directed to provide options for council review.

City Manager Royer – Celebrate Neosho

City Manager Royer stated John Jordon, Parks Director was unavailable to attend the meeting but wanted to report the positive responses he has received pertaining to Celebrate Neosho.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davison announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davison announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Davidson announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Davidson announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

Council Minutes – July 3, 2012

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to adjourn the July 3, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the July 3, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 7:50 p.m.

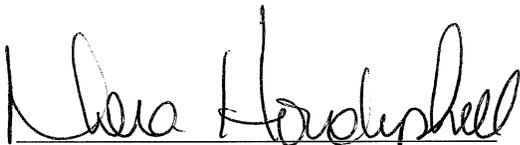
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
July 10, 2012 – 8:30 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 8:37 a.m.

ROLL CALL

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

ABSENT: Steve Hart

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

CITY STAFF PRESENT: Jane Obert, Finance Director and David McCracken, Chief of Police.

Discussion of Neosho Transportation Development District Board Member Election.

Mayor Davidson opened the floor to City Attorney Hays for review of documentation received on July 9th, 2012 by the Neosho Transportation Development District (TDD) stating the City has until July 12 to dispute the findings or pose questions to Newton County Abstract prior to the July 16 TDD board election.

City Attorney Hays stated after speaking with Chris Williams, Attorney for the TDD and Holly Mitchell with Newton County Title & Abstract and reviewing a spreadsheet provided at 9:15 p.m. the night before, the City's acreage calculations provided by Newton County Title & Abstract are best estimates. Mr. Hays stated engineering/survey firm Allgeier, Martin and Associates is in the process of verifying the city's acreage count and didn't know if they would have the calculations ready by July 12. City Attorney Hays also noted there is nothing in the TDD's bylaws requiring the notarized proxy agreement, showing total acreage, by a date prior to the election.

Discussion followed.

Mayor Davidson reminded council the decision to cast the city's vote in the TDD board election for Matt Ruth. He further stated he had heard negative comments made pertaining to Matt Ruth seeking election to the board, given his relationship to Councilman Ruth. Mayor Davidson stated Mr. Steve Roark has recently indicated a willingness to serve on the TDD board as the City's authorized Representative and opened the floor for discussion.

Discussion followed.

City Attorney Hays stated that if any councilman were elected as the TDD board member he would have to abstain from any votes pertaining to the city.

Councilman Collinsworth stated the city would have representation but no vote. He further stated to avoid the look of impropriety he would nominate Mr. Steve Roark.

Motion was made by Councilman Collinsworth and seconded by Mayor Davidson to instruct the proxy to cast the city's vote in the TDD board election for Steve Roark.

City Attorney Hays stated there had been a resolution bill prepared naming Mr. Steve Roark.

Resolution Bill No. 2012-09 for Resolution 131-2012 was read by title only by Mr. Hays.

Motion was perfected and made by Councilman Workman and seconded by Councilman Collinsworth to adopt Resolution Bill No. 2012-09.

Roll call vote:

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

Motion carried.

ADJOURN

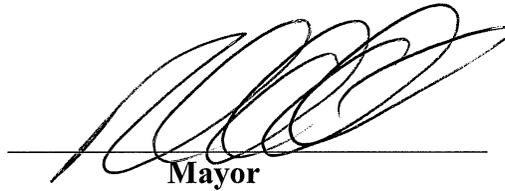
Motion was made by Councilman Collinsworth and seconded by Councilman Workman to adjourn the July 10, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the July 10, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:27 a.m.

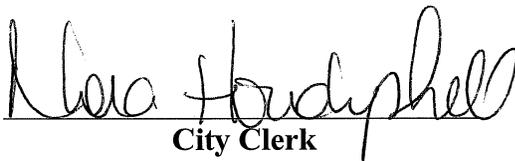
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
July 17, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jane Obert gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

A quorum being present, Mayor Davidson called the meeting to order at 7:04 p.m.

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director.

AMENDED AGENDA

Mayor Davidson stated the agenda is amended to remove #4 under new business.

APPROVAL OF AGENDA

Motion was made by Councilman Workman and seconded by Councilman Ruth to approve the agenda as amended.

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion passed.

MINUTES:

The minutes of July 3, 2012 Regular Session and July 10, 2012 Special Session were approved as presented.

VISITORS BUSINESS

David Holley – TDD

Mr. Holley stated that citizens are upset with the TDD Board and is requesting the Neosho City Council to represent the citizens for transparency of that board.

Council Minutes – July 17, 2012

Gene Franklin – Fireworks

Mr. Franklin stated that something needs to be done regarding the fireworks allowed to be shot in town and presented a flammable missile found in his yard during the burn ban.

Gene Franklin – TDD

Mr. Franklin stated concerns regarding the TDD and asked the City Attorney if the citizens could sign a petition to rescind the board.

UNFINISHED BUSINESS

Bill No. 2012-494...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading.

Bill No. 2012-494 for Ordinance No. 506-2012 was read by title only by Mr. Hays.

Public Works Director Hightower stated this is due to an increase in organic load to the Shoal Creek Wastewater Treatment Plant from local industry.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to pass Bill No. 2012-494 on second and third readings.

Roll call vote:

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

Motion carried.

BID

Public Works Department – Boring Tool

The following bid recommendations were presented for consideration.

Public Works Department – Boring Tool

Mike Hightower, Public Works Director, informed the council there were three bidders for the boring tool and recommended the council accept the bid from TT Technologies in the amount \$4,950.

**PUBLIC WORKS DEPARTMENT – BORING TOOL
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., July 10, 2012 at Public Works. Present for the opening were Stacey Barnes and Ryan Long.

The following bids were received by:

TT Technologies	\$4,900
Freight	<u>50</u>
	\$4950
ICM of America	\$6,695
Vermeer Great Plains	\$5,255

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to award bid to TT Technologies in the amount of \$4,950.

Discussion followed.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012- 495...Providing for the amendment of Code Section 710.030; within Chapter 710, water, of the city code of ordinances, City of Neosho, Missouri...1st Reading.

Bill No. 2012-495 was read by title only by Mr. Hays.

Mayor Davidson explained revisions regarding the \$15 fee.

Motion was made by Councilman Workman and seconded by Councilman Ruth to pass Bill No. 2012-495 on first reading.

City Manager Royer gave an overview

Discussion followed.

Roll call vote:

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

Motion carried.

Bill No. 2012-496...Establishing procedures to report personal financial disclosure statements and conflicts of interest for certain municipal officials...1st Reading.

Bill No. 2012-496 was read by title only by Mr. Hays.

Mayor Davidson stated this is required by State Statute to comply with Missouri Ethic Commission to establish disclosures for conflicts of interest.

Motion was made by Councilman Workman and seconded by Councilman Ruth to pass Bill No. 2012-496 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-497...To authorize the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing State Block Grant Funds for Project No. 12-096A-2, to update the property map at the Hugh Robinson Memorial Airport from H. W. Lochner, Inc...1st Reading.

Bill No. 2012-497 was read by title only by Mr. Hays.

Mayor Davidson stated this is due to storms from May 2011 with a 95%/5% match which has a deadline of July 31st, 2012.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to pass Bill

Council Minutes – July 17, 2012

No. 2012-497 on first reading.

Roll call vote:

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

Motion carried.

Discussion with Rick Hendricks, Representative from Empire District regarding the municipal electric service agreement.

Mr. Rick Hendricks handed out the Municipal Street Lighting Service Scheduled dated June 3, 2011 effective date of June 15, 2011 along with a list of Neosho lights.

Type	Quantity
11,000 Lumen Mercury	29
12,000 Lumen Metal	11
130,000 Lumen HP sodium	1
16,000 Lumen HP Sodium	173
20,000 Lumen Mercury	16
20,500 Lumen Metal	80
27,500 Lumen HP Sodium	8
50,000 Lumen HP Sodium	1
53,000 Lumen Mercury	4
6,000 Lumen HP Sodium	10
7,000 Lumen Mercury	553

Mr. Hendricks stated there are two charges an energy charge and an investment charge of 9%. He further stated after the Joplin tornado Empire replaced all street lights. He further explained Empire can no longer obtain new mercury vapors so replacing the lights with sodium vapor.

Further discussion was held regarding authorizing the city manager to execute the agreements, if the upgrade to 7,000 lumen is reasonable or should the council consider 6,000 lumen and the safety light placement.

Consider amending Electric Service Agreement with Empire District to replace one light located at 925 Melody Lane.

Motion was made by Councilman Hart and seconded by Councilman Workman to amend the Electric Service Agreement with Empire District Electric to replace a street light at 925 Melody Lane and authorize the mayor to execute same.

Roll call vote:

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

Motion carried.

Consider amending Electric Service Agreement with Empire District to remove one light located at City Golf Course Maintenance Building.

Motion was made by Councilman Hart and seconded by Councilman Workman to amend the Electric Service Agreement with Empire District Electric to remove one street light at the City Golf Course Maintenance Building and authorize the mayor to execute same.

Roll call vote:

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

Motion carried.

Consider amending Electric Service Agreement with Empire District to replace one light located at Dewey and S. High Street.

Council Minutes – July 17, 2012

Motion was made by Councilman Hart and seconded by Councilman Workman to amend the Electric Service Agreement with Empire District Electric to replace a street light at Dewey and S. High Street and authorize the mayor to execute same.

Roll call vote:

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

Motion carried.

Consider approval of Changer Order for main replacement.

Scott Fleming from HDR|Archer stated the change order in the amount of \$128,000 is to replace 788 feet of 30” diameter sewer main from the EQ basin to the plant. He further stated HDR has waived their fee.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve Change Order #4 to Branco Enterprises in the amount of \$128,000 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of Wheeler Well emergency repairs.

Public Works Director Mike Hightower stated after the pump and motor were replaced there was an electrical surge which caused the motor to be replaced. He further stated that although Franklin Electric replaced the motor at no cost to the City, there was a \$7,000 fee to Reavis Water Well & Construction for pulling the well and rebuilding the pump.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve payment of \$7,000 to Reavis Water Well & Construction for emergency repairs to Wheeler Well.

Roll call vote:

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

Motion carried.

Consider approval of G.I.S. Map Access Agreement with Newton County.

Mr. John Harrington stated Newton County Assessor’s Office is offering online access to their GIS mapping software and data in the annual amount of \$480.

Motion was made by Councilman Workman and seconded by Councilman Hart to accept agreement with Newton County in the amount of \$480 annually and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider request for water service at 15277 Kentucky Road.

Mr. Harrington, Code Enforcement reviewed the request for water services.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to accept the Irrevocable Consent to Annexation Agreement and allow connection to City water.

Roll call vote:

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

Motion carried.

Consider approval of Joplin Humane Society Agreement.

Mr. Harrington stated the need for this agreement to accept animals picked up in Neosho for a set price.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the contract with Joplin Humane Society and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Jane Obert, Finance Director – Financial Report

Ms. Obert gave an overview of the financials provided to council. She further stated city staff would like to plan a budget meeting with council on August 9th.

It was a consensus of the council to schedule the meeting for August 9th from 6:30 p.m. to 8:30 p.m. in the Council Chambers.

Troy Royer, City Manager – Handicap Spaces around the square

Mr. Royer stated that Traffic Commission met and determined the handicap spaces met code requirements.

Troy Royer, City Manager – Airport Lighting

Mr. Royer reported we are on phase 2 of the airport lighting project.

Mayor Richard Davidson – TDD

Mayor Davidson stated MODOT casted 93 votes in the TDD election with no MODOT representative being present. He further stated that the City has pushed for safety issues and expressed concerns regarding MODOT's stance with the TDD board which conveys more importance for economic development over safety. Mayor Davidson stated there are over 150 TDDs in Missouri and this is the first time MODOT casted a vote.

Councilman Tom Workman – Water Line Insurance Letter

Council Minutes – July 17, 2012

Councilman Workman stated there is a letter received by citizens selling insurance on water lines and asked the City Attorney to address it.

City Attorney Hays stated the City does not endorse water line insurance policy.

John Jordon, Parks Director – Celebrate Neosho

Mr. Jordon thanked the Council for their support of Celebrate Neosho. He reported the following:

- \$3,000 received from various donations.
- 33 vendors
- \$14,000 in expenses
- At least 5,000 people attended
- 71 people participated in the 5K run
- 71 cars and motorcycles participated in the car show.
- Over 70 kids were involved in the fish derby.

He further stated he contacted the vendors and they were all very pleased and looked forward to participating again next year.

John Jordon, Parks Director – Pool

Mr. Jordon reported the swimming pool will be open through Labor Day weekend.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davidson announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Ethic Board:

Mayor Davidson announced one vacancy will exist beginning August 31, 2012 for the expiring term of Lee Duran and that one letter of interest has been received from Lee Duran for reappointment.

Motion was made by Councilman Workman and seconded by Councilman Hart to reappoint Lee Duran to the Ethic Board.

Roll call vote:

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

Motion carried.

Council Minutes – July 17, 2012

Golf Course Committee:

Mayor Davidson announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Davidson announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

Planning and Zoning Commission:

Mayor Davidson announced two vacancies will exist beginning August 30, 2102 for the expiring terms of Kevin Bartley and Louise Estes.

TIF Commission:

Mayor Davidson announced three vacancies exists; one beginning August 31, 2012 for the expiring term of Wes Nall.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Workman to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:40 p.m.

The meeting reconvened in open session at 9:30 p.m. and Mayor Davidson announced the council conferred with the city attorney and no vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Ruth and seconded by Councilman Hart to adjourn the July 17, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the July 17, 2012 Regular Session City Council meeting.

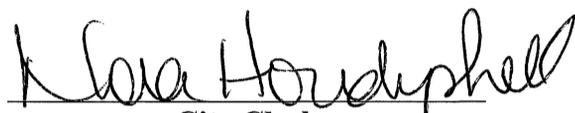
There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:30 p.m.

APPROVED:

NEOSHO CITY COUNCIL


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ATTEST:


A handwritten signature in black ink, appearing to read "Kara Hordyshell", is written over a horizontal line. Below the line, the words "City Clerk" are printed in a bold, sans-serif font.

MINUTES
NEOSHO CITY COUNCIL
July 25, 2012 – 8:30 a.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

A quorum being present, Mayor Davidson called the meeting to order at 8:30 a.m.

ROLL CALL

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

ABSENT: Charles Collinsworth

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

CITY STAFF PRESENT: David McCracken, Chief of Police.

Bill No. 2012-497...To authorize the Mayor to execute a contract between the City of Neosho and the Missouri Highways and Transportation Commission providing State Block Grant Funds for Project No. 12-096A-2, to update the property map at the Hugh Robinson Memorial Airport from H. W. Lochner, Inc...2nd and 3rd Reading.

Bill No. 2012-497 for Ordinance No. 507-2012 was read by title only by Mr. Hays.

Mayor Davidson gave an overview.

Motion was made by Councilman Ruth and seconded by Councilman Hart to pass Bill No. 2012-497 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-498...Providing for the amendment of Article III, Code Section 125.110; and repeal of Article II, Code Sections 125.040, 125.050, 125.060, 125.070, 125.080, 125.090, and 125.100 of the City Code of Ordinances...1st Reading.

Bill No. 2012-498 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Ruth to pass Bill No. 2012-498 on first reading.

Mayor Davidson stated there continues to be issues with maintaining membership on the park board.

City Manager Royer gave an overview of the Golf Committee meeting he attended presenting the recommendation of merging the Golf Committee and Park Board.

Mayor Davidson stated the park board is required by State Statute and the merging of the committee and board is similar to Joplin.

Mayor Davidson recognized Golf Committee members in the audience and opened the floor for comment.

Council Minutes – July 25, 2012

Richard Clemmons stated he understood the concept but voiced concerns including the need to keep a representative from the county on the board as well as the importance of having a council member present at the meetings.

Councilman Ruth stated the city department head representation would help communication between the board and council. He further stated the golf course is a park and everyone needs to work together to see it succeed.

Mr. Clemmons stated support of Justin Beck's efforts at the golf course and reminded council not much citizen support has been expressed asking again to have county representation.

Councilman Ruth stated support of two outside city limits members on the combined board.

Councilman Hart stated between Mr. Beck and the department head there should be sufficient communication between the board and the council.

Discussion followed.

Amended Motion was made by Mayor Davidson and seconded by Councilman Hart to revise Paragraph D to read at least six members shall be residents of the City of Neosho and three members may or may not be a citizen of Neosho but must reside in Newton County.

Roll call vote:

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

Motion carried.

Mayor Davidson called for a vote for the original Motion to pass Bill No. 2012-498 as amended.

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

Motion carried.

Bill No. 2012-499...Providing for the Amendment of Code Section 605.040; within Chapter 605, Licenses and Miscellaneous Business Regulations, of the City Code of Ordinances...1st Reading.

Bill No. 2012-499 was read by title only by Mr. Hays.

Mayor Davidson announced this is to correct terminology regarding performance bonds requirements in the current city code.

City Attorney Hays stated the words "unless otherwise provided" needs to be added to the beginning of Paragraph 3 (b).

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-499 on first reading.

Roll call vote:

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

Motion carried.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Hart to adjourn the July 25, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the July 25, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:10 a.m.

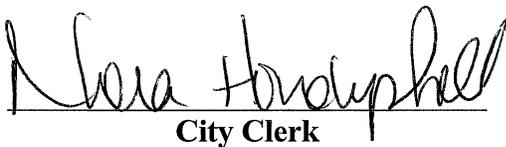
APPROVED:

NEOSHO CITY COUNCIL

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Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'Nora Handolphell', positioned above a horizontal line.

City Clerk

MINUTES
NEOSHO CITY COUNCIL
August 7, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

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

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

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart, David Ruth, Tom Workman (Arrived at 7:05 p.m.).

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director and Dana Daniel, Development Services Director.

ANNOUNCEMENT:

Mayor Davidson stated Councilman Workman will be delayed due to a property fire.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of July 17, 2012 Regular Session, July 17, 2012 Closed Session and July 25, 2012 Special Session were approved as presented.

PROCLAMATION:

Mayor Davidson announced the Employee of the Quarter, David Carter will be delayed so the proclamation will be presented later in the meeting.

VISITORS BUSINESS

There were none.

UNFINISHED BUSINESS

Bill No. 2012- 495...Providing for the amendment of Code Section 710.030; within Chapter 710, water, of the city code of ordinances, City of Neosho, Missouri...2nd and 3rd Reading.

Bill No. 2012-495 for Ordinance No. 508-2012 was read by title only by Mr. Hays.

Mayor Davidson gave an overview.

Motion was made by Councilman Ruth and seconded by Councilman Collinsworth to pass Bill No. 2012-495 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-496...Establishing procedures to report personal financial disclosure statements and conflicts of interest for certain municipal officials...2nd and 3rd Reading.

Bill No. 2012-496 for Ordinance No. 509-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Ruth and seconded by Councilman Collinsworth to pass Bill No. 2012-496 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-498...Providing for the amendment of Article III, Code Section 125.110; and repeal of Article II, Code Sections 125.040, 125.050, 125.060, 125.070, 125.080, 125.090, and 125.100 of the City Code of Ordinances...2nd and 3rd Reading.

Bill No. 2012-498 for Ordinance No. 510-2012 was read by title only by Mr. Hays.

Mayor Davidson reviewed the revisions.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-498 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012- 499...Providing for the amendment of Code Section 605.040; within Chapter 605, Licenses and Miscellaneous Business Regulations, of the city code of ordinances, City of Neosho, Missouri...2nd and 3rd Reading.

Bill No. 2012-499 for Ordinance No. 511-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-499 on second and third readings.

Discussion followed.

Roll call vote:

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

Motion carried.

BID

The following bid recommendations were presented for consideration.

Public Works Department – South 59 Highway Resurfacing Project

Mike Hightower, Public Works Director, informed the council there were three bidders for the Highway 59 repaving project and recommended the council accept the bid from Swift Construction in the amount \$543,385.82.

Mike Atkinson with Allgeier, Martin and Associates stated this was bid in the following four sections: (1) Base bid; (2) Alternate 1 – Clemons from 59 to Lusk; (3) Alternate 2 – Lusk from 60 to Clemons and (4) Alternate 3 – Lusk from Clemons going west to Wal-Mart.

PUBLIC WORKS DEPARTMENT – HIGHWAY 59 REPAVING PROJECT BID OPENING SUMMARY

The bid opening was held July 31, 2012 by Allgeier, Martin and Associates.

Bids received are itemized within Attachment A and made apart hereto of the August 7, 2012 Council meeting minutes.

Councilman Ruth asked if they would repave to the intersection at 59 Highway and Lusk or the MoDOT right-of-way.

Mr. Atkinson stated they contacted MoDOT when Mr. Hightower brought this to their attention. He further stated that discussions were held with MoDOT and discussed the City paving to the intersection which would encumber 500 feet the City is not responsible for. Mr. Atkinson stated the City would be able to then invoice MoDOT for approximately \$24,000 for the additional paving.

Discussion followed.

Mayor Davidson asked if this could be paid from the TIF.

Mr. Hightower confirmed only a small portion is in the TIF.

Further discussion held.

City Attorney Hays stated the CID was told by the developer that they did not have to pay into the TIF. He further stated he would contact MoDOT to confirm ownership of intersection.

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to Swift Construction in the amount of \$543,385.82.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-500...Providing that the revenues and expenditures budget are amended for the fiscal year beginning October 1, 2011 and ending September 30, 2012...1st Reading.

Bill No. 2012-500 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-500 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of agreement with Bennett, Inc. for the Bike and Pedestrian Trail Project.

City Manager Royer gave an overview of the agreement and stated the expected completion date is 45 days.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the agreement with Bennett, Inc. in the amount of \$191,860 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

PROCLAMATION:

Mayor Davidson stated the following proclamation was issued on August 7, 2012.

Employee of the Quarter – David Carter

Whereas, Mr. David Carter has been a trustworthy employee that cares; and

Whereas, David Carter works for the City’s Public Works Department; and

Whereas, David Carter has portrayed himself to be an outstanding employee with perseverance; and

Whereas, David Carter assists the Neosho Fire Department whenever called upon; and

Whereas, David Carter has a team-player attitude; and

Whereas, His willingness to help provide water or Gatorade to the Firemen, pick up equipment, control traffic during a fire, free up personnel so they could be involved in the interior operations of fighting fire and give an extra set of eyes and ears for safety concerns shows David Carter’s desire to go above and beyond his duties.

Now, therefore, the City Council of the City of Neosho hereby recognizes, honor and extend our congratulations to:

**Mr. David Carter
Employee of the Quarter for the 2nd Quarter of 2012**

In Witness Whereof, I, Richard Davidson, Mayor of the City of Neosho 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 August, 2012.

/s/ Richard Davidson, Mayor

Mr. Carter stated his appreciation and that this date was his 18th anniversary as a city employee.

Consider approval of the U.S. Department of Justice Agreement for the COPS grant.

Police Chief McCracken stated this will allow funding for one police officer for three years at a rate of 75% Federal and 25% local match. He further stated the award amount is \$126,319 for salary and benefits for a three year period.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to approve the agreement with U.S. Department of Justice and authorize Police Chief McCracken and City Manager Royer to execute.

Council Ruth, Councilman Collinsworth and Councilman Workman thanked Chief McCracken for searching for these grant resources.

Councilman Hart commended the police department for showing other cities they can do more with less.

Mayor Davidson stated appreciation for persistence to staff safety.

Roll call vote:

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

Motion carried.

Consider approval of the Neosho R-5 School Resource Officer Agreement.

Chief McCracken gave an overview of the school resource officer program. He further noted during the nine months of school, Neosho R-5 will pay his salary and the remainder will be paid by the City.

Motion was made by Councilman Ruth and seconded by Councilman Workman to approve the Neosho R-5 School Agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval and acceptance of the Highway Safety Grant.

Chief McCracken stated the City has been awarded \$5,000 with this grant that will provide overtime funding for officers for alcohol traffic enforcement within the city.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to accept Department of Highway Safety Grant and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of Change Order #2 for the Kodiak Road Water System Improvement Project.

Scott Fleming with HDR|Archer stated the original contract amount was \$829,332 and the change order would add \$22,005. He further stated this was for additional quantities of water line extensions for the fire hydrants; add service lines, taps and water meters as part of the easement

Please Note: These are legal size pages.
Council Minutes – August 7, 2012

negotiations. Mr. Fleming further stated they are revising alignment of the 16” water main in one area to keep it in the easement rather than the road right of way.

Mr. Fleming handed out an SRF loan summary for Council’s review stating the estimated completion date is the end of January.

Handed out at meeting 8/7/2012

**Neosho Water System Improvements
 SRF Loan Summary
 July 30, 2012**

	Construction Costs As Bid
Contract 1 - Water Treatment Plant and Pumping Improvements	\$4,399,800.00
Change Order No. 1	\$0.00
Change Order No. 2	\$5,733.62
Contract 2 - Downtown Water Mains	\$1,380,973.80
Change Order No. 1	\$0.00
Change Order No. 2	\$6,419.12
Change Order No. 3	\$94,665.00
Contract 3 - Kodiak Road Transmission Main	\$829,332.00
Change Order No. 1	\$0.00
Proposed Change Order No. 2 (Trees, Meters & Service Line)	\$22,005.00
Construction Subtotal	\$6,738,929
Engineering Services	
Design	\$728,393
Bidding	\$37,461
Construction Administration	\$360,069
Construction Related Services	\$215,036
Management, Observation and Documentation of the Force Account and Rock Excavation Line Items	\$114,410
<u>Financing, Legal, Easement Acquisition, Debt Service Reserve, Etc.</u>	<u>\$284,925</u>
TOTAL	\$9,140,234
SRF Loan Available	\$9,500,000
Total Contingency Remaining	\$1,020,777

Motion was made by Councilman Workman and seconded by Councilman Hart to approve Change Order #2 for Contract #3 for the Kodiak Road portion of the Water System Improvement Project and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval for water services at 16080 Overlook Lane.

(Councilman Hart briefly stepped out of the council chambers)

Mr. John Harrington gave an overview of the request for water services including informing council this property is not contiguous with city property.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to approve Irrevocable Consent and allow connection to city water.

Discussion followed.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – CBT Picture Request

Mr. Royer stated there had been a request by a CBT Representative to take a picture of one of the golf course holes.

It was the consensus of the council to consent to the picture.

Troy Royer, City Manager – Development Services Director

Mr. Royer introduced Dana Daniel as the new Development Services Director.

Richard Davidson, Mayor – CID and TDD

City Attorney Hays stated the CID has never paid into the City.

Councilman Hart stated the TDD and CID collect their own taxes which is an accountability problem. He further stated concerns regarding the TDD and CID having the same consultant.

Richard Davidson, Mayor - Housing Authority

Mayor Davidson reviewed housing project requests issues from earlier this year. He asked for council comment on adopting a resolution to state the council would consider housing projects within the city limits only.

Councilman Ruth stated concerns regarding requests for contiguous properties.

Councilman Workman stated he did not want to discourage county growth but the City Council should only make recommendations within the City.

Discussion followed and direction was given to the City Attorney to draft a resolution for council's review.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davidson announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Golf Course Committee:

Mayor Davidson announced one vacancy exists for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of Kenneth Tyler. This position needs to be a Neosho resident.

Park and Recreation Board:

Mayor Davidson announced *one* vacancy currently exists for an unexpired three-year term that began May 1, 2010. *Three* vacancies will exist for a term of three years beginning May 1, 2012 and expiring April 30, 2015 for the expiring terms of William Slade, Rick Callis and Brian Schmidt.

Planning and Zoning Commission:

Mayor Davidson announced two vacancies will exist beginning August 30, 2012 for the expiring terms of Kevin Bartley and Louise Estes.

TIF Commission:

Mayor Davidson announced three vacancies exist; one beginning August 31, 2012 for the expiring term of Wes Nall.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:15 p.m.

The meeting reconvened in open session at 9:10 p.m. and Mayor Davidson announced the council conferred with the city attorney one vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to adjourn the August 7, 2012 Regular Session City Council meeting.

Council Minutes – August 7, 2012 Attachment A

Tabulation Of Bids Received July 31, 2012 For
Highway 59 Repaving (Clennons/Lusk Drives)
For The City Of Neosho, Missouri

Swift Const. Co., Inc.
PO Box 768
Neosho, MO 64850

Blevins Asphalt
Construction Co., Inc.
PO Box 230
M. Vernon, MO 65712

APAC-Missouri, Inc.
PO Box 1187
Springfield, MO 65801

BASE BID - HIGHWAY 59 PAVING

Bid Item	Description	Qty.	Unit	Price	Bid Amount	Unit	Bid	Unit	Bid
202-99.05	Removal of Existing Pavement & Base	1,434	SY	\$7.68	\$11,013.12	\$3.85	\$5,520.90	\$14.00	\$20,076.00
203-50.00	Unclassified Excavation (Subgrade Removal)	168	CY	\$34.43	\$5,784.24	\$12.80	\$2,150.40	\$11.95	\$1,906.80
205-10.10	Modified Subgrade (TX 160 Geogrid)	1,206	SY	\$3.25	\$3,919.50	\$6.10	\$7,356.60	\$2.90	\$3,497.40
304-01.03	Type 1 Aggregate for Base (6" Thick)	1,434	SY	\$3.85	\$5,520.90	\$8.20	\$11,768.80	\$6.20	\$8,890.80
403-01.03	Asphaltic Concrete Mixture PG 70-22 (SP125C Mix)	2,725	TONS	\$67.06	\$182,738.50	\$70.22	\$191,349.50	\$73.15	\$199,333.75
403-03.06	Asphaltic Concrete Mixture PG 70-22 (SP250C Mix)	469	TONS	\$68.88	\$31,684.80	\$75.68	\$34,812.80	\$73.90	\$33,994.00
407-10.05	Tack Coat	1,800	GALS	\$2.75	\$4,950.00	\$2.20	\$3,960.00	\$2.60	\$3,600.00
502-13.10	Concrete Pavement (10" Non-Reinforced 15' Joints)	160	SY	\$54.00	\$8,640.00	\$69.65	\$11,144.00	\$52.75	\$8,440.00
616-99.01	Traffic Management	1	LS	\$8,000.00	\$8,000.00	\$7,210.00	\$7,210.00	\$5,450.00	\$5,450.00
618-10.00	Mobilization	1	LS	\$8,000.00	\$8,000.00	\$37,150.00	\$37,150.00	\$27,675.00	\$27,675.00
620-05.00A	Type 1 Preformed Left/Right Arrow	19	EA	\$498.75	\$9,476.25	\$266.75	\$5,068.25	\$438.00	\$8,322.00
620-15.00	Type 1 Preformed Straight Arrow	1	EA	\$498.75	\$498.75	\$192.05	\$192.05	\$438.00	\$438.00
620-16.00A	Type 1 Preformed Combo Arrow	3	EA	\$498.75	\$1,496.25	\$453.45	\$1,360.35	\$855.00	\$2,565.00
620-60.00B	4" White Acrylic Waterborne Pavement Marking Paint	15,955	LF	\$0.63	\$10,051.65	\$0.07	\$1,116.85	\$0.35	\$5,584.25
620-60.01B	4" Yellow Acrylic Waterborne Pavement Marking Paint	480	LF	\$0.63	\$302.40	\$1.60	\$768.00	\$0.35	\$168.00
620-61.24	Acrylic Waterborne Pavement Marking Paint, 24" White	360	LF	\$3.78	\$1,360.80	\$1.07	\$385.20	\$4.30	\$1,548.00
620-70.01	Pavement Marking Removal	140	LF	\$1.10	\$154.00	\$1.07	\$149.80	\$5.35	\$749.00
622-40.10	Modified Cold Milling	343	SY	\$10.00	\$3,430.00	\$7.20	\$2,469.60	\$26.50	\$9,089.50
902-99.01	Detector, Vehicle Induction Loop	2	EA	\$1,980.00	\$3,960.00	\$2,615.00	\$5,230.00	\$1,890.00	\$3,780.00
TOTAL BASE BID					\$298,981.16		\$329,153.10		\$345,107.50

ALTERNATE 1

Bid Item	Description	Qty.	Unit	Price	Bid Amount	Unit	Bid	Unit	Bid
202-99.05	Removal of Existing Pavement & Base	244	SY	\$7.68	\$1,873.92	\$5.07	\$1,237.08	\$20.35	\$4,965.40
203-50.00	Unclassified Excavation (Subgrade Removal)	14	CY	\$34.43	\$482.02	\$12.80	\$179.20	\$11.35	\$158.90
304-01.03	Type 1 Aggregate for Base (6" Thick)	244	SY	\$4.69	\$1,119.96	\$9.60	\$2,342.40	\$6.70	\$1,634.80
403-01.03	Asphaltic Concrete Mixture PG 70-22 (SP125C Mix)	297	TONS	\$73.49	\$21,826.53	\$72.50	\$21,532.50	\$75.65	\$22,466.05
403-03.06	Asphaltic Concrete Mixture PG 70-22 (SP250C Mix)	88	TONS	\$71.29	\$6,273.52	\$73.40	\$6,459.20	\$73.55	\$6,472.40
407-10.05	Tack Coat	120	GALS	\$2.75	\$330.00	\$2.20	\$264.00	\$2.60	\$312.00
502-13.10	Concrete Pavement (10" Non-Reinforced 15' Joints)	1	LS	\$5,700.00	\$5,700.00	\$2,405.00	\$2,405.00	\$1,100.00	\$1,100.00
616-99.01	Traffic Management	1	LS	\$1,000.00	\$1,000.00	\$2,660.00	\$2,660.00	\$1,530.00	\$1,530.00
618-10.00	Mobilization	1	LS	\$1,000.00	\$1,000.00	\$2,660.00	\$2,660.00	\$1,530.00	\$1,530.00
620-05.00A	Type 1 Preformed Left/Right Arrow	1	EA	\$498.75	\$498.75	\$533.50	\$533.50	\$438.00	\$438.00
620-15.00	Type 1 Preformed Straight Arrow	1	EA	\$498.75	\$498.75	\$373.50	\$373.50	\$438.00	\$438.00
620-60.00B	4" White Acrylic Waterborne Pavement Marking Paint	170	LF	\$0.63	\$107.10	\$1.60	\$272.00	\$0.35	\$59.50
620-60.01B	4" Yellow Acrylic Waterborne Pavement Marking Paint	680	LF	\$0.63	\$428.40	\$1.60	\$1,088.00	\$0.35	\$238.00
622-40.10	Modified Cold Milling	378	SY	\$10.00	\$3,780.00	\$4.80	\$1,814.40	\$12.00	\$4,536.00
Total Alternate 1					\$43,916.95		\$41,160.78		\$44,279.05

ALTERNATE 2

Bid Item	Description	Qty.	Unit	Price	Bid Amount	Unit	Bid	Unit	Bid
202-99.05	Removal of Existing Pavement & Base	3,214	SY	\$2.37	\$7,617.18	\$3.28	\$10,541.92	\$4.60	\$14,784.40
202-99.05A	Removal Of Existing Base Rock	3,214	SY	\$2.84	\$9,127.76	\$0.97	\$3,117.58	\$3.70	\$11,891.80
203-50.00	Unclassified Excavation (Subgrade Removal)	188	CY	\$34.43	\$6,472.84	\$12.80	\$2,409.60	\$3.70	\$695.60
205-10.10	Modified Subgrade (TX 160 Geogrid)	3,214	SY	\$3.25	\$10,445.50	\$6.10	\$19,605.40	\$2.70	\$8,677.80
304-01.03	Type 1 Aggregate for Base (6" Thick)	3,214	SY	\$3.70	\$11,891.80	\$7.85	\$25,229.90	\$4.80	\$15,427.20
403-01.03	Asphaltic Concrete Mixture PG 70-22 (SP125C Mix)	384	TONS	\$67.06	\$25,751.04	\$72.45	\$27,820.80	\$77.15	\$29,825.60
403-03.06	Asphaltic Concrete Mixture PG 70-22 (SP250C Mix)	1,100	TONS	\$68.88	\$75,768.00	\$66.70	\$73,370.00	\$71.20	\$78,320.00
502-13.10	Concrete Pavement (10" Non-Reinforced 15' Joints)	167	SY	\$54.00	\$9,018.00	\$69.70	\$11,639.90	\$58.00	\$9,686.00
616-99.01	Traffic Management	1	LS	\$2,000.00	\$2,000.00	\$2,410.00	\$2,410.00	\$410.00	\$410.00
618-10.00	Mobilization	1	LS	\$3,500.00	\$3,500.00	\$2,660.00	\$2,660.00	\$1,500.00	\$1,500.00
620-60.00B	4" White Acrylic Waterborne Pavement Marking Paint	60	LF	\$0.63	\$37.80	\$6.40	\$384.00	\$0.35	\$21.00
622-40.10	Modified Cold Milling	225	SY	\$1.00	\$225.00	\$8.05	\$1,811.25	\$20.00	\$4,500.00
Total Alternate 2					\$161,248.62		\$180,935.40		\$175,535.90

ALTERNATE 3

Bid Item	Description	Qty.	Unit	Price	Bid Amount	Unit	Bid	Unit	Bid
202-99.05	Removal of Existing Pavement & Base	295	SY	\$7.68	\$2,265.60	\$4.56	\$1,345.20	\$15.00	\$4,425.00
203-50.00	Unclassified Excavation (Subgrade Removal)	28	CY	\$34.43	\$965.18	\$12.80	\$362.80	\$7.50	\$210.00
304-01.03	Type 1 Aggregate for Base (6" Thick)	295	SY	\$4.59	\$1,354.05	\$7.86	\$2,318.70	\$5.85	\$1,725.75
403-01.03	Asphaltic Concrete Mixture PG 70-22 (SP125C Mix)	237	TONS	\$67.06	\$15,893.22	\$76.00	\$18,012.00	\$76.75	\$18,189.75
403-03.06	Asphaltic Concrete Mixture PG 70-22 (SP250C Mix)	46	TONS	\$71.29	\$3,279.34	\$77.15	\$3,548.90	\$78.30	\$3,601.80
407-10.05	Tack Coat	190	GALS	\$2.75	\$522.50	\$2.20	\$418.00	\$2.60	\$494.00
502-13.10	Concrete Pavement (10" Non-Reinforced 15' Joints)	167	SY	\$54.00	\$9,018.00	\$78.00	\$13,026.00	\$52.00	\$8,684.00
616-99.01	Traffic Management	1	LS	\$1,600.00	\$1,600.00	\$2,410.00	\$2,410.00	\$410.00	\$410.00
618-10.00	Mobilization	1	LS	\$1,000.00	\$1,000.00	\$2,660.00	\$2,660.00	\$1,500.00	\$1,500.00
620-61.24	Acrylic Waterborne Pavement Marking Paint, 24", White	15	LF	\$3.78	\$56.70	\$10.67	\$160.05	\$4.30	\$64.50
622-40.10	Modified Cold Milling	600	SY	\$5.00	\$3,000.00	\$5.63	\$3,378.00	\$7.60	\$4,560.00
Total Alternate 3					\$38,537.09		\$47,411.65		\$43,555.80

Base Bid + Alternate Nos. 1, 2 & 3

\$543,385.82 \$598,660.93 \$608,478.25

This is to certify that at 2:00 p.m., CDST on July 31, 2012 in Neosho, MO, the bids tabulated herein were publicly opened, read aloud, checked and the above totals are correct as to additions and the bids were accompanied by acceptable bidder's bonds.

* corrected

ALLGEIER, MARTIN AND ASSOCIATES, INC. - CONSULTING ENGINEERS - JOPLIN, MO

By  Jared Nichols, P.E.

It was the consensus of the council to adjourn the August 7, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:10 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
August 9, 2012 - 6:30 p.m.
Council Chambers
203 East Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 6:33 p.m.

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director and Dana Daniel, Development Services Director.

Financial Work Session

Mr. Royer included in his overview but not limited to, the following:

1. First half of year sales tax increase of over 20%. Recommends budgeting conservatively with 5% revenues increase
2. Across the board 3.4% salary increase restored of most employees
3. Adding five full time employees. (two for police department; two for parks department; one for recycle center)
4. Re-staff the Fire Department back to full staffing and the general fund will make up the shortfall when the Safer Grant runs out in April 2013.
5. By adding two FTE's to the Police Department will staff them with 20 officers.
6. Recommending \$225,000 transfer from Economic Development Sales Tax Fund and \$73,000 from the Parks Sales Tax Fund to the Golf course to cover the debt.
7. Recommending IT duties to be outsourced.
8. Capital improvement projects include two new police vehicles, one pumper truck for the fire department and complete the construction of the new public works facility.
9. Maintain a 90 day reserve of the general fund projected to be \$916,269.

Troy Royer, City Manager gave budget overview. Discussion followed.

Mayor Davidson thanked Finance Director Obert for her efforts with the budget.

ADJOURN

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to adjourn the August 9, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the August 9, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:30 p.m.

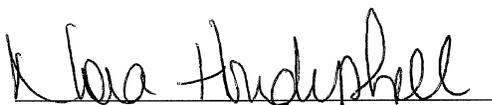
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

Please Note: These are legal size pages.

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
August 16, 2012 – 6:00 p.m.
City Hall
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 6:00 p.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart (Arrived at 6:27 p.m.), David Ruth, Tom Workman (Arrived at 6:12 p.m.).

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

CLOSED MEETING:

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 6:07 p.m.

The meeting reconvened in open session at 7:10 p.m. and Mayor Davidson announced the council conferred with the city attorney and one vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Ruth and seconded by Councilman Workman to adjourn the August 16, 2012 Special Session City Council meeting.

Roll call vote:

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

Motion carried.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 7:10 p.m.

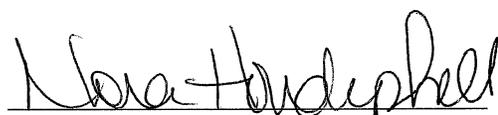
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
August 16, 2012 - 6:30 p.m.
Council Chambers
203 East Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 7:18 p.m.

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director and Dana Daniel, Development Services Director along with Justin Beck, Golf Course Manager.

Financial Work Session

Richard Davidson, Mayor stated this was the second meeting of budget discussions and they would be starting with the Drainage Crew budget.

Discussion was held but not limited to:

1. The decrease in capitol expense for Drainage budget.
2. Request for the Parks Supervisor. Further discussion was held regarding concession money and new procedures placed for inventory and money handling controls in the Parks Department. Councilman Collinsworth thanked John Jordon for his hard work and efforts in the Parks.

Golf Course Budget discussions regarding city-ran vs. contracted.

Councilman Collinsworth stated Mr. Beck was not the reason there is additional debt related to the golf course and has done a good job for the money he has been given to work with.

Discussion followed.

It was the consensus of the council to thank Mr. Beck for a job well done and to direct City Manager to rework the budget numbers with a contract amount.

City Manager Royer reviewed the Hotel/Motel Fund budget. Mayor Davidson noticed the reserve and inquired as to other actives that could be reviewed to benefit Neosho.

Councilman Hart stated he would like to see a city staff position possibly funded by the Hotel/Motel Fund to promote Neosho.

Mayor Davidson directed City Manager to review the statutes for the Hotel/Motel Fund and discuss at the next regular scheduled council meeting when the City Attorney is present.

Mayor Davidson stated with the consensus of the council to schedule the next budget review meeting on Tuesday, August 21st at 6:00 p.m.

ADJOURN

Motion was made by Councilman Workman and seconded by Councilman Ruth to adjourn the August 16, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the August 16, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 8:40 p.m.

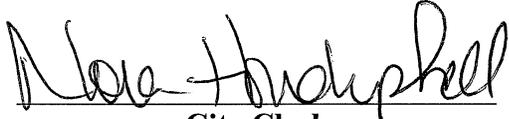
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:


City Clerk

MINUTES
NEOSHO CITY COUNCIL
August 21, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Joshua Branham gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

ABSENT: David Ruth

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director and Dana Daniel, Development Services Director.

AMENDED AGENDA

Mayor Davidson announced the agenda will be amended to remove number 12 under new business, item to consider approval of the Civic Plus Agreement.

APPROVAL OF AGENDA

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the agenda as amended.

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of August 7, 2012 Regular Session, August 7, 2012 Closed Session; August 9, 2012 and August 16, 2012 Special Session and August 16, 2012 Special Closed Session were approved as presented.

VISITORS BUSINESS

Mr. Estes – Signs and Handicap Parking

Mr. Estes stated he would like no bicycle and skate board signs placed on the side walk along with having more handicap parking places in front of Newton Place.

Council Minutes – August 21, 2012

UNFINISHED BUSINESS

Bill No. 2012-500...Providing that the revenues and expenditures budget are amended for the fiscal year beginning October 1, 2011 and ending September 30, 2012 ...2nd and 3rd Reading.

Bill No. 2012-500 for Ordinance No. 512-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-500 on second and third readings.

Mayor Davidson stated the time frame in which to return this to the county clerk allows this to fall under emergency measure per the city code.

Roll call vote:

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

Motion carried.

BID

The following bid recommendations were presented for consideration.

Public Works Department – Rotar Blades for Shoal Creek WWTP

Mike Hightower, Public Works Director, informed the council there was one bidder for the rotar blades for the wastewater plants and recommended the council accept the bid from JCI/Electric Motor Supply in the amount \$23,328 which is up \$1.00 from last year.

**PUBLIC WORKS DEPARTMENT – WASTEWATER ROTAR BLADES
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., August 7, 2012 at the Public Works Office. Present for the opening were Jim Wood from JCI/Electric Motor Supply, Stacey Barnes and Ryan Long from the City of Neosho.

The following bids were received by:

JCI/Electric Motor Supply	\$23,328
Letts, Vankirk & Associates	No Bid
Haynes Equipment Co	No Bid

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to JCI/Electric Motor Supply in the amount of \$23,328.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Public hearing providing for the rate of taxation and the levy and collection of taxes for real property assessment for the fiscal year commencing October 1, 2012.

Council Minutes – August 21, 2012

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

Bill No. 2012-501...Providing for the rate of taxation and the levy and collection of taxes for real property assessment for the fiscal year commencing October 1, 2012...1st Reading.

Bill No. 2012-501 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to pass Bill No. 2012-501 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-501...Providing for the rate of taxation and the levy and collection of taxes for real property assessment for the fiscal year commencing October 1, 2012...2nd & 3rd Readings...under emergency measure.

Bill No. 2012-501 for Ordinance No. 513-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-501 on second and third readings.

Roll call vote:

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

Motion carried.

No. 2012-502...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...1st Reading.

Bill No. 2012-502 was read by title only by Mr. Hays.

City Manager Royer stated this is to reflect revenues and expenditures for the design phase of the Airport Lighting Improvements Project.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to pass Bill No. 2012-502 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-503...Providing that Chapter 620, pawnbrokers and secondhand dealers, of the code of ordinances, City of Neosho, Missouri, being amended, and setting an effective date thereof...1st reading.

Bill No. 2012-503 was read by title only by Mr. Hays.

Police Chief McCracken stated City Attorney Hays researched the best way to revise this ordinance to assist the police department with tracking items being sold at the pawn shops. He further stated the requirement for using the national data base is no additional cost to business owners and will provide a more effective method to detect stolen goods.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-503 on first reading.

Council Minutes – August 21, 2012

Discussion followed.

Roll call vote:

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

Motion carried.

Consider approval of Time Traveler Enterprises request for sponsorship.

Mr. Kyle Franklin with Time Traveler Enterprises stated there are currently no air shows close to Neosho, and after the positive response to Celebrate Neosho he was encouraged to move forward with organizing an air show at the Neosho Municipal Airport. He further stated this would be a two day event. Mr. Franklin stated to council that his hope is for this to be an annual event and eventually sustain itself.

Discussion followed.

Mayor Davidson stated Mr. Franklin needs to work with the City Attorney to work out the details. He further stated the council would provide an answer on the sponsorship request by October 1st.

It was the consensus of the council to grant permission to Time Traveler Enterprises to utilize the Neosho Municipal Airport for the air show.

Consider approval of Change Order #3 with David E. Ross Construction for Contract #1 for the Water Treatment Plant & Pump Improvement Project.

Mr. Scott Fleming with HDR|Archer provided the following handout and stated that even with this change order we are still within the approved budget.

*Scott Fleming w/HDR
Handed out at 8/21/12
Meeting.*

Neosho Water System Improvements
SRF Loan Summary
August 15, 2012

	Construction Costs As Bid
Contract 1 - Water Treatment Plant and Pumping Improvements	\$4,399,800.00
Change Order No. 1	\$0.00
Change Order No. 2	\$5,733.62
Change Order No. 3	\$103,365.98
Contract 2 - Downtown Water Mains	\$1,380,973.80
Change Order No. 1	\$0.00
Change Order No. 2	\$6,419.12
Change Order No. 3	\$94,665.00
Contract 3 - Kodiak Road Transmission Main	\$829,332.00
Change Order No. 1	\$0.00
Change Order No. 2 (Trees, Meters & Service Line)	\$22,005.00
Construction Subtotal	\$6,842,295
Engineering Services	
Design	\$728,393
Bidding	\$37,461
Construction Administration	\$360,069
Construction Related Services	\$215,036
Management, Observation and Documentation of the Force Account and Rock Excavation Line Items	\$114,410
Financing, Legal, Easement Acquisition, Debt Service Reserve, Etc.	\$284,925
TOTAL	\$8,582,589
SRF Loan Available	\$9,500,000
Total Contingency Remaining	\$917,411

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve Change order No. 3 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the contract with Swift Construction.

Troy Royer, City Manager stated the council awarded the bid to Swift Construction at the August 7th meeting.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve the contract with Swift Construction in the amount of \$543,385.82 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval for Local Law Enforcement Block Grant-JAG application.

Chief McCracken stated this grant will allow the replacement of aging safety equipment. He further stated this will require a 10% match.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to authorize the application of this grant.

Roll call vote:

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

Motion carried.

Consider approval for U.S. Department of Homeland Security/Missouri Terrorism Prevention grant application.

Chief McCracken stated this grant is to replace laptops and provide connection fees for existing mobile data network with no match required.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to authorize the application of this grant.

Roll call vote:

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

Motion carried.

Consider approval of the LeadsOnline, LLC agreement.

Police Chief McCracken stated, if approved, this will satisfy the requirement of the ordinance passed earlier in the meeting.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the agreement with LeadsOnline, LLC and authorize Mayor to execute.

Council Minutes – August 21, 2012

Roll call vote:

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

Motion carried.

Consider approval of the Neosho Area Clergy Coalition proposal.

Parks Director, John Jordon stated the Neosho Area Clergy Coalition has volunteered to repair the cross in Big Spring Park which has historical significance and asked the council to approve the proposal.

It was the consensus of the council to authorize the restoration of the cross located at Big Spring Park.

REPORT OF CITY OFFICERS

Steven Hays, City Attorney – TDD Election

City Attorney Hays stated at the direction of the council he investigated the conduct of the TDD election and engaged Cunningham, Vogel & Rost, P.C. for assistance. He further stated due to the serious flaw in the State Statute in which the TDD was organized under, the City has filed a Petition and asked the Judge to issue an Order ceasing TDD money transactions.

Councilman Hart stated concerns relating to the tax payers in this district and that he did not want the install of the traffic light delayed.

Mayor Davidson stated this was in no way an attack on the TDD but elections are a serious matter and had the City not acted once this information came to their attention, the City could potentially be liable.

Councilman Collinsworth apologized to the citizens for rushing in judgment with the deadlines presented to council by the TDD Board during this process. He further stated public safety still remains his number one concern.

Mr. J.C. Herrell from the audience asked council to explain what would happen to the taxes the TDD Board has collected.

Mr. Hays stated he did not know for sure as the money is currently held by the Department of Revenue.

Councilman Charles Collinsworth – Neosho Business Council

Councilman Collinsworth stated he would like to propose an organization he referred to as the Neosho Business Council for the commitment of promoting the City of Neosho highlighting the following items: (1) Commitment; (2) Controls; (3) Clarity; (4) Competition; and (5) Cooperation. He further stated this means an obligation to spend Hotel/Motel money wisely to promote Neosho with transparency and complete focus on Neosho. Councilman Collinsworth stated he would like to see support from local organizations and a cooperative effort in working together with the Chamber of Commerce.

Mayor Davidson, Councilman Hart and Councilman Workman agreed and applauded Councilman Collinsworth's suggestion.

Finance Director, Jane Obert – Finance Report

Mrs. Obert gave an overview of the financial reports.

Council Minutes – August 21, 2012

APPOINTMENTS & VACANCIES

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

Board of Appeals: Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

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

Parks Recreation and Golf Course Board: Mayor Davidson announced nine (9) vacancies currently exist and four letters of interest have been received: 1-Mr. Gary Elam (In the City limits); 2-Mr. Patrick Meredith (In the City limits) 3-Mr. Ken Mayer (In the City limits) and 4-Richard Clemons (Newton County Resident).

Motion was made by Mayor Davidson and seconded by Councilman Hart to appoint Mr. Gary Elam, Mr. Patrick Meredith and Mr. Ken Mayer to the Parks Recreation and Golf Course Board for a term of three (3) years expiring August 30, 2015.

Roll call vote:

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

Motion carried.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to appoint Mr. Richard Clemons to the Parks Recreation and Golf Course Board for a term of two (2) years expiring August 30, 2014.

Roll call vote:

Richard Davidson – Abstain (Relation), Steve Hart – Yes, Tom Workman - Yes, Charles Collinsworth - Yes.

Motion carried.

Councilman Steve Hart stated interest in being a board member as a citizen and not as a councilman.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to appoint Mr. Steve Hart to the Parks Recreation and Golf Course Board for a term of two (2) years expiring August 30, 2014.

Roll call vote:

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

Motion carried.

Planning and Zoning Commission: Mayor Davidson announced two vacancies will exist beginning August 30, 2012 for the expiring terms of Kevin Bartley and Louise Estes and one letter of interest has been received by Kevin Bartley.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to reappoint Mr. Kevin Bartley to the Planning and Zoning Commission for a term of three years.

Council Minutes – August 21, 2012

Roll call vote:

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

Motion carried.

TIF Commission: Mayor announced three vacancies exists; one beginning August 31, 2012 for the expiring term of Wes Nall and one letter of interest has been received by Mr. Wes Nall.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to reappoint Mr. Wes Nall to the TIF Commission for a term of four (4) years.

Roll call vote:

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

Motion carried.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys and Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:47 p.m.

The meeting reconvened in open session at 10:11 p.m. and Mayor Davidson announced the council conferred with the city attorney and no vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

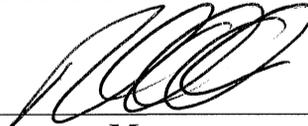
Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to adjourn the August 21, 2012 Regular Session City Council meeting.

It was the consensus of the council to adjourn the August 21, 2012 Regular Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 10:11 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
August 21, 2012 - 6:00 p.m.
Council Chambers
203 East Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 6:00 p.m.

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director and Dana Daniel, Development Services.

Financial Work Session

City Manager Royer provided insert pages to the budget and stated there were two changes from the last meeting that will affect four pages of the budget as listed below:

Golf Course Budget:

1. Took out all employee and benefit calculations and added the previous budgeted amount for a contract at \$220,000.
2. Took out revenues and expenditures for Pro-shop and Concessions.

General Administration Budget:

1. Added one FTE (Public Relations & Development Coordinator) at a rate of \$26,000 annual salary.
2. Transfer-in from Hotel/Motel Tax Budget to cover the (Public Relations & Development Coordinator) at a rate of \$26,000 annual salary.

Hotel/Motel Tax Budget:

1. Added transfer-out to the General Administration Budget to cover the (Public Relations & Development Coordinator) at a rate of \$26,000 annual salary.

Transfer Schedule:

1. Add the transfers between the General Administration & Hotel/Motel Tax Budgets to reflect the (Public Relations & Development Coordinator) at a rate of \$26,000 annual salary.

Mayor Davidson announced they would start discussions with the TIF Fund which City Manager Royer outlined.

Discussion was held regarding the Abbott Trust Fund and research into determining the intended restricted fund amount.

Further discussion followed as the remainder of the budget was reviewed including but not limited to:

1. Importance of supporting adequate reserves in the water/wastewater fund.
2. Analysis of employee insurance.
3. The observation that the Civic has more debt than the Golf Course.
4. The lower interest rates for the Certificates of Participation.

Mrs. Jane Obert, Finance Director gave an overview of accomplishments during the year of her employment along with the assistance of Daphne Pevahouse and asked Council to consider a pay increase for both positions.

Mr. Mike Hightower, Public Works Director reviewed his budget emphasizing the professional services line item whereby this amount contains monies to hire a company to assist the public works department in locating leaks and the request for two full time positions.

Discussion followed.

Council Minutes – August 21, 2012

Mayor Davidson stated with the consensus of the council to schedule the next budget review meeting on Tuesday, September 4th at 6:00 p.m.

ADJOURN

Motion was made by Councilman Hart and seconded by Mayor Davidson to adjourn the August 21, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the August 21, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 6:53 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
September 4, 2012 - 6:00 p.m.
Council Chambers
203 East Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 6:05 p.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinworth (Arrived at 6:30 p.m.), Richard Davidson, Steve Hart, David Ruth.

CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director and Dana Daniel, Development Services.

Financial Work Session

City Manager Royer stated the holiday overtime was inadvertently left out therefore the budget was revised along with a correction made in the Series 201 lease purchase payment schedule.

Discussion was held regarding additional full time employee requested by the Parks Department including but not limited to the need for weekend City employee coverage in the parks and the to change the title of the position to not be a supervisor.

ADJOURN

Motion was made by Councilman Hart and seconded by Mayor Davidson to adjourn the September 4, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the September 4, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 6:40 p.m.

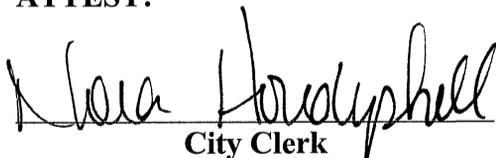
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
September 12, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Charles Collinsworth gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; Jane Obert, Finance Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of August 21, 2012 Regular, Special and Closed Sessions were approved as presented.

VISITORS BUSINESS

Earl Heathman – Neighborhood Watch Signs

Mr. Heathman requested neighborhood watch signs and speed limit signs on Garland Douglas for safety concerns.

Discussion followed. City Manager Troy Royer stated he would look into it.

Sheila Stuart – Neighborhood Watch Signs

Ms. Sheila Stuart echoed Mr. Heathman's concerns.

Tim Lewis – Chapter 620

Mr. Lewis opted to address council during the Chapter 620 discussion.

Rich Matters – Chapter 620

Mr. Matters opted to address council during the Chapter 620 discussion.

Charles Gray – Fairground Streets

Mr. Gray stated concerns regarding safety issues around the fairgrounds and requested side streets to be closed.

Mayor Davidson stated the fire Chief will need to review access issues for safety.

Discussion followed.

Mayor Davidson with the consensus of the council directed Mr. Royer and city staff to review this issue and report back to council at the next meeting.

UNFINISHED BUSINESS

Bill No. 2012-502...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading.

Bill No. 2012-502 for Ordinance No. 514-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to pass Bill No. 2012-502 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-503...Providing that Chapter 620, pawnbrokers and secondhand dealers, of the code of ordinances, City of Neosho, Missouri, being amended, and setting an effective date thereof...2nd and 3rd Reading.

Bill No. 2012-503 was read by title only by Mr. Hays.

Mayor Davidson stated he had been contacted by pawn brokers with concerns regarding this ordinance.

Mr. Tim Lewis and Mr. Rich Matters stated concerns regarding the wording of the ordinance including but not limited to: (1) Taking fingerprints; (2) County has no regulations as being proposed by the City; (3) Who is providing the forms to be approved by the City Finance Department; and (4) Confidentiality of customers.

Mayor Davidson stated this ordinance was intended to provide a better way to track stolen merchandise.

Discussion followed.

It was the consensus of the City Council to direct Mr. Hays to bring back an amended ordinance for approval.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-503 on second and third readings.

Roll call vote:

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

Motion failed.

BID

There were none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Public Hearing regarding adoption of the 2012-2013 Fiscal Year Budget.

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

Bill No. 2012-504...Adopting the 2012-2013 Fiscal Year Budget...1st Reading.

Bill No. 2012-504 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-504 on first reading.

Councilman Ruth stated to keep his word to the citizens that voted for him, he will be voting no for the property tax.

Roll call vote:

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

Motion carried.

Bill No. 2012-505...Approving correcting amendments to lease purchase documents relating to the taxable certificates of participation, Series 2010...1st Reading.

Bill No. 2012-505 was read by title only by Mr. Hays.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-505 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-506...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...1st Reading. (General Fund)

Bill No. 2012-506 was read by title only by Mr. Hays.

Council Minutes – September 4, 2012

City Manager Royer stated the former Sherriff set the prisoner board billings to be paid a year in arrears. He further stated since the City is in a stronger financial position, he is recommending the council approve to pay the amount due of \$21,570 for 2011 calendar year and \$10,285.80 for January through August 2012.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-506 on first reading.

Roll call vote:

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

Motion carried.

Bill No. 2012-507...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...1st Reading. (Hotel/Motel)

Bill No. 2012-507 was read by title only by Mr. Hays.

Parks Director, John Jordon stated the budget adjustment is to cover the cost of inflatable's at the fall festival scheduled for October 6th which will allow this service to be offered at no expense to the kids.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to pass Bill No. 2012-507 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of the Newton County Sheriff's Department payment.

Motion was made by Councilman Ruth and seconded by Councilman Workman to approve and authorize payment to the County in the amount of \$31,855.80.

Roll call vote:

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

Motion carried.

Consider approval of the Maccaroo agreement.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the Maccaroo agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Council Minutes – September 4, 2012

Consider approval of the WCA Transfer Station agreement.

City Manager Royer stated WCA is refinancing and requiring consents on certain leased properties such as the transfer station. He further stated this will not change the terms of the lease agreement other than the assignment of the existing tenant's interest under the lease to Credit Suisse AG.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the WCA Transfer Station agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Hometown Productions agreement.

Mr. Troy Royer stated the Chamber of Commerce is no longer providing free city maps to the citizens or visitors. He further stated to provide great customer service, he is recommending the city provide these maps and approve the Distribution Agreement.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the Hometown Productions agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider certification of the annual Lagers meeting delegate.

City Manager Royer stated the importance of attending the annual LAGERS conference and recommended Human Resource Director, Pam Baker as the City's Employer Delegate.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve Pam Baker to attend the annual LAGERS meeting.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Central School

Mr. Royer stated he would like council consensus to allow paw prints to be painted on the street up to Central School. He further stated the street would not be closed during this time.

It was the consensus of the council to allow the paw prints to be painted.

Council Minutes – September 4, 2012

City Manager Troy Royer – Handicap Parking

Mr. Royer stated the Mr. Estes visited the last council meeting with the request for additional handicap parking. Mr. Royer reminded council on July 17th he reported to council after staff consideration and investigation the handicap spaces were not needed.

Mayor Davidson stated he spoke with the owner of Newton Place and he confirmed the spaces were not needed.

Mayor Richard Davidson – Resolution

Mayor Davidson directed City Attorney Hays to have a resolution for review setting policy for housing developments within the city limits at the next regular scheduled council meeting.

Councilman Charles Collinsworth – Citizen Input

Councilman Collinsworth stated he appreciated citizen input. He further stated not only did citizens make council aware of problem they also brought suggestions for solutions.

APPOINTMENTS & VACANCIES

Board of Adjustments (Zoning):

Mayor Davidson announced one vacancy currently exists for a term of five years due to the expiring term of Bill Carlsten, beginning November 1, 2011 and expiring October 31, 2016.

Board of Appeals:

Mayor Davidson announced six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

Economic Development Sales Tax Committee:

Mayor Davidson announced one vacancy currently exists beginning October 4, 2011 for an Ex-officio non-voting member of a Neosho financial institution.

Parks Recreation and Golf Course Board:

Mayor Davidson announced four (4) vacancies currently exist. Two (2) members shall be a resident citizen of the City of Neosho and three (2) members may or may not be a citizen of Neosho but must be residents of Newton County and one letter of interest has been received by Mr. Michael Mitchell.

Motion was made by Councilman Hart and seconded by Councilman Ruth to appoint Mr. Michael Mitchell to the Parks Recreation and Golf Course Board for a term of two years.

Roll call vote:

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

Motion carried.

Planning and Zoning Commission:

Mayor Davidson announced one vacancy exists beginning August 30, 2102 for the expiring term of Louise Estes.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:40 p.m.

The meeting reconvened in open session at 10:20 p.m. and Mayor Davidson announced the council conferred with the city attorney and no vote was taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the September 4, 2012 Regular Session City Council meeting.

ADJOURN

Motion to adjourn by Councilman Collinsworth.
Seconded by Councilman Workman.

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 10:20 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
September 18, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jeremy Bridges gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; Dana Daniel, Development Services Director; John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of September 4, 2012 Regular, Special and Closed Sessions were approved as presented.

VISITORS BUSINESS

Charles Gray – Road Closure

Mr. Gray chose to speak when Council discussed South Briggs and Beaver Streets and Cover Avenue.

Scott Wade - Zoning

Mr. Wade chose to speak when Council discussed 400 and 406 Grant Avenue.

UNFINISHED BUSINESS

Bill No. 2012-504...Adopting the 2012-2013 Fiscal Year Budget...2nd and 3rd Reading.

Bill No. 2012-504 for Ordinance No. 515-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Ruth to pass Bill No. 2012-504 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-505...Approving correcting amendments to lease purchase documents relating to the taxable certificates of participation, Series 2010...2nd and 3rd Reading.

Bill No. 2012-505 for Ordinance No. 516-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Workman to pass Bill No. 2012-505 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-506...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading. (General Fund)

Bill No. 2012-506 for Ordinance No. 517-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Ruth and seconded by Councilman Workman to pass Bill No. 2012-506 on second and third readings.

Roll call vote:

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

Motion carried.

Bill No. 2012-507...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2011 and ending September 30, 2012...2nd and 3rd Reading. (Hotel/Motel)

Bill No. 2012-507 for Ordinance No. 518-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to pass Bill No. 2012-507 on second and third readings.

Roll call vote:

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

Motion carried.

BID

The following bid recommendations were presented for consideration.

City Manager – Golf Course Management Service

City Manager Royer, informed the council there was one bidder for and recommended the council accept the bid from Justin Beck in the amount \$220,000.

**NEOSHO GOLF COURSE – PROFESSIONAL MANAGEMENT SERVICES
BID OPENING SUMMARY**

The bids were received by 4:00 p.m., September 10, 2012

The following bids were received by:

Justin S. Beck	\$220,000
Billy Casper Golf	Did not meet bid specifications

Motion was made by Councilman Hart and seconded by Councilman Workman to award bid to Justin Beck in the amount of \$220,000.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

Neosho VFW

Mayor Davidson announced the Neosho VFW Post 4142 extended an invitation to a POW/MIA Ceremony scheduled for September 21, 2012 at 5:30 p.m.

Neosho Masonic Lodge

Mayor Davidson announced the Neosho Masonic Lodge extended appreciation for the use of the Neosho Civic Center.

NEW BUSINESS

Resolution Bill No. 2012-10...Setting forth a City of Neosho support schedule for Federal and State Grant programs encompassing the construction of community housing projects and other similar projects.

Resolution Bill No. 2012-10 for Resolution 132-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Ruth and seconded by Councilman Collinsworth to adopt Resolution Bill No. 2012-10.

Roll call vote:

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

Motion carried.

Consideration of letter of support for Terra Vest Development.

Development Services Director, Dana Daniel presented a letter of support for the application process by Terra Vest Development with the Missouri Housing Development Commission regarding family housing in Neosho.

Mayor Davidson stated Council supported this project last year when it was presented but due to unforeseen circumstances, the funds were unavailable.

City Attorney Hays stated this letter is in compliance with the Resolution previously adopted.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the Terra Vest Development application for family housing and authorize Mayor to execute the letter of support.

Roll call vote:

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

Motion carried.

Consider road closure on South Briggs and Beaver Streets and Cover Avenue.

Code Enforcer, John Harrington presented a recommendation for South Briggs and Beaver Streets along with Cover Avenue to be closed with locking gates that Newton County A&M would pay for and provide keys to city staff.

Mr. Charles Gray who signed up under visitor business stated appreciation to the Council and city staff for their cooperation in this matter.

Councilman Hart declared concerns regarding the police not being able to patrol the area if it was gated.

Councilman Ruth affirmed concerns that this would not fix the vandalism issues that Newton County A&M and that possibly vacating the road would be a better solution.

Discussion followed.

City Attorney Hays stated there have been litigation issues with vacating roads.

Councilman Collinsworth thanked Mr. Gray for not only bringing the issue to the Council's attention but also taking responsibility and being a part of the solution.

Motion was made by Councilman Workman and seconded by Councilman Hart to close Beaver Street, South Briggs Street and Cover Avenue.

Roll call vote:

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

Motion carried.

Consider recommendation from Planning and Zoning Board regarding 400 Grant Avenue.

Mr. Harrington, Code Enforcement Officer reviewed the application presented to the Planning and Zoning Board regarding the change in zoning for the property located at 400 Grant Avenue from R-2, Second Dwelling House District to C-3, Commercial Business District for the purposes of a parking lot.

Mr. Scott Wade who signed up for visitor business approached council and stated he has not purchased this property yet as it is contingent on the rezoning but would like to obtain this lot for additional parking. He further stated his plan was to build a nice fence around the area as approved by city code.

Mr. Harrington informed council that two houses currently sit on the lot that were moved from a flood plain and have never been hooked up to water and sewer.

Mayor Davidson suggested a special use permit versus rezoning.

City Attorney Hays stated the rezoning classification was a big jump and that the special use permit would be more beneficial to the city.

Councilman Workman stated he has talked to neighbors and have concern about noise but does not want to stunt growth of Mr. Wade's business. He further stated concerns regarding spot zoning.

Discussion followed.

Motion was made by Councilman Ruth and seconded by Councilman Hart to approve the request to rezone 400 Grant Avenue from R-2, Second Dwelling House District to C-3, Commercial Business District for purpose of a parking lot upon ownership transfer to Scott Wade.

Roll call vote:

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

Motion carried.

Consider recommendation from Planning and Zoning Board regarding 406 Grant Avenue.

Motion was made by Councilman Ruth and seconded by Mayor Davidson to approve the request to rezone 406 Grant Avenue from R-2, Second Dwelling House District to C-3, Commercial Business District for purpose of a parking lot upon ownership transfer to Scott Wade.

Roll call vote:

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

Motion carried.

Consider approval of agreement with Newton County under Section 67.100 RSMo. 1978.

Mayor Davidson explained this was agreement is to approve the tax levy collected by the County.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the Newton County Agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the radio tower renewal.

City Manager Royer stated this is an annual renewal for the north radio repeater located northwest of town on NN Highway at Jute Road in the amount of \$1,980.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve the American Media Investments, Inc agreement in the amount of \$1,980 and authorize Mayor to execute.

Roll call vote:

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

Councilman Collinsworth abstained as he sometimes broadcasts for AMI Radio.

Motion carried.

Consider approval of the Amendments to the Electric Service Agreement.

Mike Hightower, Public Works Director stated this is to replace two lights and install one at the SW corner of Neosho Heights Circle.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Workman to amend the Electric Service Agreement with Empire District Electric to install one street light at the SW corner of Neosho Heights Circle, replace one street light at SE corner of Geyer Road and Oak Ridge Drive and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Painting Paw Prints

Mr. Royer stated he received a call from Mr. Tim Mitchell requesting permission to paint paw prints across Hill Street.

Troy Royer, City Manager – Garland Douglas Signs

Mr. Royer reported two neighborhood watch signs, five speed limit signs and two children at play signs were now placed within a seven block area on Garland Douglas.

Troy Royer, City Manager – Land3 Studio

Mr. Royer reported Land3Studio will hold their first public meeting on September 20th from 5:00 p.m. to 7:00 p.m.at the Lampo Building.

Troy Royer, City Manager – Limbs

Mr. Royer stated the Public Works Department picked up 28 loads of limbs and debris for the citizens of Neosho.

Mike Hightower – EQ Basin

Mr. Hightower, Public Works Director stated the EQ Basin will be operational as of the 25th.

John Jordon – Soccer Program

Mr. Jordon, Parks Director stated there was a record high of 200 kids that signed up for the fall soccer program.

Steven Hays, City Attorney – TDD

Mr. Hays reported a hearing has been set for October 29th for the parties to present a resolution to the Judge as it pertains to the suit filed by the City of Neosho against the TDD. Mr. Hays further stated the City's attorneys in St. Louis proposed a plan to form a CID which would replace the TDD and take out all question of illegality and ensure the Kodiak light would be constructed this year. He stated at the attempt of the City's attorneys to resolve this issue, the TDD's attorneys have failed to make comment or return calls. Mr. Hays stated the TDD Board has declared they are working with MODOT to resolve the issues at hand. Mr. Hays stated MODOT's Attorney claims to not know of communication between MODOT and the TDD Board.

Councilman Hart stated the Judge ordered all parties to find a solution which the City has done and the TDD Board is silent.

Mayor Davidson stated the TDD and the City need to work together for the betterment of Neosho.

APPOINTMENTS & VACANCIES

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

Board of Appeals: Six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

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

Parks Recreation and Golf Course Board: Four (3) vacancies currently exist. Two (1) members shall be a resident citizen of the City of Neosho and three (2) members may or may not be a citizen of Neosho but must be residents of Newton County. *One letter of interest has been received by Ms. Barbara Lombardi.*

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to appoint Ms. Barbara Lombardi to the Parks Recreation and Golf Course Board for a term of one (1) year.

Roll call vote:

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

Motion carried.

Planning and Zoning Commission: One vacancy exists beginning August 30, 2012 for the expiring term of Louise Estes.

CLOSED MEETING:

Mayor Davidson announced there was no reason to go into closed.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the September 18, 2012 Regular Session City Council meeting.

ADJOURN

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

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 8:28 p.m.

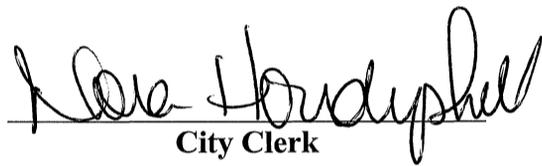
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

Please Note: These are legal size pages.
MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
September 26, 2012 – 8:30 a.m.
City Hall Conference Room
203 E. Main St., Neosho, MO

A quorum being present, Mayor Davidson called the meeting to order at 8:32 a.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart, David Ruth, Tom Workman (Arrived at 8:37 a.m.).

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

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 8:32 a.m.

The meeting reconvened in open session at 9:59 a.m. and Mayor Davidson announced the council conferred with the city attorney and three votes were taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

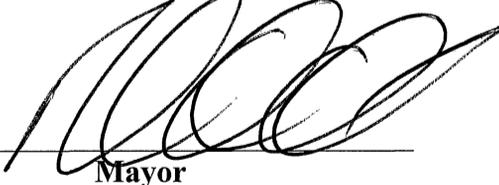
Motion was made by Councilman Hart and seconded by Mayor Davidson to adjourn the September 26, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the September 26, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 10:00 a.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
October 2, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Charles Collinsworth gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Mike Eads, Fire Chief; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; Dana Daniel, Development Services Director; John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of September 18, 2012 Regular, September 26, 2012 Special and Closed Sessions were approved as presented.

VISITORS BUSINESS

There were none.

UNFINISHED BUSINESS

There was none.

BID

The following bid recommendations were presented for consideration.

Neosho Municipal Golf Course – Mower

Justin Beck, Golf Course Manager, informed the council there were two bidders for the Neosho Golf Course greens mower. Ken Mayer from the Parks Recreation and Golf Course Board recommended the council accept the bid from Professional Turf products for the purchase of Toro Mower in the amount \$34,706.44.

**NEOSO GOLF COURSE – RIDING GREENS MOWER
 BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., September 27, 2012 in the City Hall conference room. Present for the opening were Justin Beck, Nora Houdyshell with the City of Neosho and Paul Downard with Professional Turf Product.

The following bids were received by:

Professional Turf Products Ozark, Mo	New Toro (0 Hour) Option B	\$ 27,675.88 <u>\$ 7,030.56</u> \$ 34,706.44
Professional Turf Products Ozark, Mo	Demo Toro (102 Hours) Option B	\$25,813.87 <u>\$ 7,030.56</u> \$32,844.43
Van-Wall Equipment Olathe, Ks	New John Deere (40 Hours) Option B	\$24,514.51 <u>\$ 5,658.21</u> \$30,172.72

Bid Specs:	Professional Turf Products	Van-Wall Equipment
Reel Speed Adjustment	Yes	Yes
Onboard Back Lapping Feature	Yes	Yes
Feature to eliminate triplex ring	Yes	No
21 HP gas engine	Yes	Yes
Tires designed to eliminate turf compaction	Yes	Yes
Rollover protection	Yes	Yes
11 blade cutting units	Yes	Yes
Verticutting Untis	Yes	Yes

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to Professional Turf Products in the amount of \$34,706.44.

Councilman Hart stated he liked that with the Professional Turf the mower would be fixed on-site minimizing down time.

Discussion followed.

Roll call vote:

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

Motion carried.

Parks Department – Hood and Fire Suppression System

John Jordon, Parks Department Director informed the council he mailed 13 bids and one bid was received for the hood and fire suppression system and recommended the council accept the bid from Schnelle Sheet Metal in the amount \$12,482.

**PARKS DEPARTMENT – HOOD SYSTEM AT LAMPO
 BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., September 4, 2012 in the Lobby of City Hall. Present for the opening were John Jordon and Amy Moritz.

The following bids were received by:

Schnelle Sheet Metal Racine, Mo	\$8,197.00
Option: Install Ansul Fire Suppression System	
Schnelle Sheet Metal	\$ 4,285.00
TOTAL:	\$12,482.00

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to award bid to Schnell Sheet Metal in the amount of \$12,482.

Roll call vote:

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

Motion carried.

Without objection from the council, Mayor Davidson directed Mr. Hightower to review all annual bids listed below along with the water line repairs bid to be considered within one motion.

Public Works – Rock
Public Works – Chemicals
Public Works – Asphalt for Streets
Public Works – Bulk Fuel
Public Works – Concrete
Public Works – Rock Salt
Public Works – Water Meters
Public Works – Water Line Repairs

Mike Hightower, Public Works Director, informed the council there was one bid for the fiscal year 2013 rock and recommended the council accept the bid from Kemp Stone.

**PUBLIC WORKS DEPARTMENT – ROCK
BID OPENING SUMMARY**

The bid opening was held at 10:30 a.m., September 25, 2012 at the Public Works Department. Present for the opening were Stacey Barnes and Ryan Long.

The following bids were received by:

Kemp Stone Co, Inc.	1" Base Rock	\$6.25/T
	¾" Clean	\$7.75/T
	Lime Screenings	\$5.50/T
	¼" Chips	\$9.25/T
	6" Rip Rap	\$9.75/T
	12" Rip Rap	\$12.00/T
Del Oro Stone	No Bid	
Joplin Stone Co	No Bid	

Mike Hightower, Public Works Director, informed the council there were five bidders for the fiscal year 2013 chemicals and recommended the council accept the bid from Mississippi Lime for bulk hydrated lime and Fort Bend for polymer.

**PUBLIC WORKS DEPARTMENT – CHEMICAL
BID OPENING SUMMARY**

The bid opening was held at 10:35 a.m., September 25, 2012 at the Public Works Department. Present for the opening were Stacey Barnes and Ryan Long.

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The following bids were received by:

Brenntag Mid-South	1 ton chlorine:	\$520.00 per cylinder*
	150 Lb Chlorine:	\$ 99.00 per cylinder*
	Lime:	No bid
	PAC	\$0.347 per pound
	Polymer:	No bid
DPC Enterprise	1 ton chlorine:	\$598.00 per cylinder
	150 Lb Chlorine:	\$135.00 per cylinder
	Lime:	No bid
	PAC	No bid
	Polymer:	No bid
Mississippi Lime Co	1 ton chlorine:	No bid
	150 Lb Chlorine:	No bid
	Lime:	\$196.83 per ton
	PAC	No bid
	Polymer:	No bid
G.S. Robins & Co	No bid	
Fort Bend Services	1 ton chlorine:	No bid
	150 Lb Chlorine:	No bid
	Lime:	No bid
	PAC	No bid
	Polymer:	\$697.50 per 450# drum (Minimum 2 drum order)

*Brenntag Mid-South will charge a \$20 fuel surcharge per delivery.

Mike Hightower, Public Works Director, informed the council there were three bidders for the fiscal year 2013 asphalt for streets and recommended the council accept the bid from Blevins Asphalt Co in the amount of \$56 per ton for hot mix and \$68 per ton for cold mix.

**PUBLIC WORKS DEPARTMENT – ASPHALT
BID OPENING SUMMARY**

The bid opening was held at 10:20 a.m., September 25, 2012 at the Public Works Department. Present for the opening were Stacey Barnes, Ryan Long and Jearn Cordova with Blevins Asphalt.

The following bids were received by:

	HOT MIX	COLD MIX
Swift Construction	\$58.00 per ton	\$80.00 per ton
Blevins Asphalt	\$56.00 per ton	\$68.00 per ton
APAC Missouri	\$65.00 per ton	No bid
	(Only when plant is running)	

Mike Hightower, Public Works Director, informed the council there were four bidders for the fiscal year 2013 bulk fuel and recommended the council accept the bid from MFA Oil Co.

**PUBLIC WORKS DEPARTMENT – BULK FUEL
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., September 25, 2012 at the Public Works Department. Present for the opening were Stacey Barnes and Ryan Long.

The following bids were received by:

	UNLEADED REGULAR FUEL	NO. 2 DIESEL
Jim Woods Marketing	\$0.2220	\$0.2269
	With winter additive	\$0.2469
MFA Oil Co	\$0.22	\$0.235
	With winter additive	\$0.250

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Wallis Lubricants (Jasper)	\$0.1831	\$0.2283
(Coffeyville)	\$0.2057	\$0.2509
	*plus additional carrier fuel surcharges	
Ozark Mountain Energy	\$0.5774	\$0.647
	Based on contract, not rack price	

Mike Hightower, Public Works Director, informed the council there were two bidders for the fiscal year 2013 concrete and recommended the council accept the bid from Neosho Concrete Products.

**PUBLIC WORKS DEPARTMENT – CONCRETE
BID OPENING SUMMARY**

The bid opening was held at 10:15 a.m., September 25, 2012 at the Public Works Department. Present for the opening were Stacey Barnes, Ryan Long and Debbie Brashear with Neosho Concrete.

The following bids were received by:

Neosho Concrete Products, Inc.	4000# Street Mix	\$82.00
	4000# Curb Mix	\$82.00
	4000# Wall Mix	\$82.00
	Flowable Fill	\$70.00
	2% Calcium	\$ 6.00
	Fiber	\$ 4.50
	Black Dye	\$67.00
	Light Load Charge	\$50.00
G&H and Joplin Redi-Mix	4000# Street Mix	\$88.00
	4000# Curb Mix	\$88.00
	4000# Wall Mix	\$88.00
	Flowable Fill	\$80.00
	2% Calcium	\$ 4.00
	Fiber	\$ 5.50
	Black Dye	\$58.00
	Light Load Charge	\$50.00

Mike Hightower, Public Works Director, informed the council there were two bidders for the fiscal year 2013 rock salt and recommended the council accept the bid from Kunshek Chat & Coal, Inc. in the amount of \$65.00 per ton.

**PUBLIC WORKS DEPARTMENT – BULK ROCK SALT
BID OPENING SUMMARY**

The bid opening was held at 10:45 a.m., September 25, 2012 at the Public Works Department. Present for the opening were Stacey Barnes and Ryan Long.

The following bids were received by:

Cargill, Inc.	\$69.75/Ton
Bingham Sand & Gravel	No Bid
Central Salt	\$65.25/Ton
Independent Salt Co.	\$74.59/Ton
Kunshek Chat & Coal	\$65.00/ton

Mike Hightower, Public Works Director, informed the council there were two bidders for the water meters and recommended the council accept the bid from HD Supply Waterworks.

**PUBLIC WORKS DEPARTMENT – WATER METERS
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., April 3, 2012 at the Public Works Department. Present for the opening were Stacey Barnes and Ryan Long.

The following bids were received by:

Water Products Co.	<p>Amco Brand 200-1/2" meters \$82.50 each 200-3/4" meters \$82.50 each 15-2" meters \$322.50 each 10 – 1 1/2" meters \$379.00 each TOTAL \$41,627.50</p>
HD Supply Waterworks	<p>Sensus SR II Brand 200-1/2" meters \$118.00 each 200-3/4" meters \$118.00 each 15-2" meters \$575.00 each 10 – 1 1/2" meters \$415.00 each TOTAL \$59,975.00</p> <p>Sensus Accu Stream Brand 200-1/2" meters \$89.00 each 200-3/4" meters \$89.00 each 15-2" meters \$575.00 each 10 – 1 1/2" meters \$415.00 each TOTAL \$48,375.00</p> <p>Iperl Brand 200-1/2" meters \$111.50 each 200-3/4" meters \$111.75 each 15-2" meters \$575.00 each 10 – 1 1/2" meters \$415.00 each TOTAL \$57,425.00</p>
Utility Solutions Associates	No Bid
Joplin Supply Company	No Bid

Mike Hightower, Public Works Director, informed the council there were two bidders for the water line repair parts and recommended the council accept the bid from HD Supply Waterworks.

**PUBLIC WORKS DEPARTMENT – WATER LINE REPAIR PARTS
 BID OPENING SUMMARY**

The quotes were received as follows:

Water Products Co.	\$6,405.20
B&L Waterworks	No response
HD Supply Waterworks	\$6,180.91

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to award bid to Kemp Stone for rock, Mississippi Lime for bulk hydrated lime, Fort Bend for polymer, Blevins Asphalt for hot and cold asphalt mix, MFA Oil Co for fuel, Neosho Concrete for concrete, Kunshek Chat & Coal for rock salt, HD Supply Waterworks for water meters and HD Supply Waterworks for water line repair parts.

Discussion followed.

Roll call vote:

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

Motion carried.

City Manager/Finance – IT Services

Troy Royer, City Manager, informed the council there were two bidders for the IT professional support services and recommended the council accept the bid from PRO-CT in the amount \$79,800. He further stated he would like the council to authorize the city to hire a junior IT professional in the amount of \$25,000-\$30,000 per year.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to award bid to PRO-CT in the amount of \$79,800 and authorize Mayor to execute agreement upon city attorney approval.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-508...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2012 and ending September 30, 2013...1st Reading.

Bill No. 2012-508 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Ruth to pass Bill No. 2012-508 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of applying for the 2012 Transportation Enhancement Program Grant through MoDOT.

Dana Daniel, Development Services Director stated this grant would allow the city to continue its development of the Morse Park Trail Project starting at the existing trail just South of the Combs House and follow La-Z-Boy Drive until connecting with the Lampo Building parking lot.

Mayor Davidson stated he would like council to consider expanding the scope of this grant by preserving and rehabilitating the stairs at Big Spring Park.

It was the consensus of the council to authorize city staff to review options of expanding the scope of this grant.

Motion was made by Councilman Ruth and seconded by Councilman Collinsworth to approve applying for the 2012 Transportation Enhancement program grant.

Roll call vote:

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

Motion carried.

Consider approval of pursuing grant monies for the Recycling Center through Region M.

Dana Daniel, Development Services Director stated the importance of applying for the Region M Grant for the support of the recycling center.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to authorize city staff to pursue grant monies from Region M and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Memorandum of Understanding with Freeman Health System.

Fire Chief Eads stated the request from Freeman Health Systems to utilize the Civic during an emergency to care for patients.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the Memorandum of Understanding and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider authorizing the expenditure of Hotel/Motel Tax funds.

City Manager Royer stated the request made by Branco Enterprises to co-host the annual Neosho Holiday Classic High School Basketball Tournament through hotel/motel funds in the amount of \$10,000.

Councilman Collinsworth stated the citizens need to see their money is spent on the event.

Mayor Davidson directed City Clerk to add this to the next regular schedule city council agenda.

It was the consensus of the council to direct the City Manager to request the last three years of finances for the tournament and to ensure the city is recognized for their donation.

Consider approval of the Civic Plus agreement.

City Manager Royer explained the process of updating the city website through Civic Plus if Council approves the agreement.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to approve the Civic Plus agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Amendments to the Electric Service Agreement.

Motion was made by Councilman Ruth and seconded by Councilman Hart to approve the Empire Electric Agreements and authorize Mayor to execute.

Roll call vote:

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

Council Minutes – October 2, 2012

Motion carried.

REPORT OF CITY OFFICERS

Fire Chief Eads – Combs House Fire

Chief Eads stated there was a small fire leaving minimal damage in the Combs House.

City Manager Royer stated the house has been robbed of all historical valued property per the Historical Society.

John Jordon – Big Spring Park Tree

Mr. Jordon stated due to the drought the tree historically used for the Christmas lighting ceremony at Big Spring Park is 78% dead and will need to have it removed.

City Attorney Steve Hays – TDD

Mr. Hays stated there has been correspondence received stating the TDD Board acknowledges the TDD did not meet State Statutes.

Discussion followed.

Mr. Hays further stated the city forwarded correspondence to MODOT stating the city would use TIF funds to cover the cost share so the light at Kodiak could be installed before the end of the year.

Mayor Davidson reminded council the Judge ordered for the light to precede.

Discussion followed.

APPOINTMENTS & VACANCIES

Mayor Davidson announced the following vacancies and asked for the press's assistance in notifying the public.

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

Motion was made by Councilman Ruth and seconded by Councilman Workman to reappoint Kevin Bartley to the Board of Adjustments for a term of five years beginning November 1, 2012.

Roll call vote:

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

Motion carried.

Board of Appeals: Six vacancies currently exist for terms of three years, two beginning November 1, 2008, one beginning November 1, 2009, two beginning November 1, 2010 and one beginning November 1, 2011 due to the expiring term of Larry Neff.

City County Library Board: One vacancy currently exists for the remaining term of Lee Ann Murphy due to expire June 30, 2014. *One letter of interest has been received from Connie McClusky.*

Motion was made by Councilman Workman and seconded by Councilman Hart to appoint Ms. Connie McClusky to the City County Library Board for the remaining term of Lee Ann Murphy.

Roll call vote:

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

Motion carried.

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

Parks Recreation and Golf Course Board: Two (2) one year term vacancies currently exist. Two (2) members shall be a resident citizen of the City of Neosho or may or may not be a citizen of Neosho but must be residents of Newton County.

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

Senior Citizen Committee: One vacancy will exist for a three year term beginning November 1, 2012 due to the expiring term of Bonita Derryberry.

CLOSED MEETING:

Mayor Davidson announced there was no reason to go into closed.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the October 2, 2012 Regular Session City Council meeting.

Motion to adjourn by Councilman Workman.
Seconded by Councilman Collinsworth.

It was the consensus of the council to adjourn the October 2, 2012 Regular Session City Council meeting.

Mayor Davidson adjourned the closed meeting at 8:23 p.m.

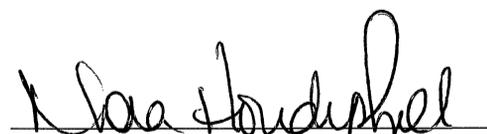
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
October 5, 2012 – 9:00 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 9:00 a.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart, David Ruth, Tom Workman (Arrived at 9:02 a.m.). CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

Consider approval of Justin Beck agreement.

Mayor Davidson reminded council at the October 2nd council meeting the bid was approved for golf course management services.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the Justin Beck agreement and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Mayor Davidson – TDD

Mayor Davidson recommended inviting the Neosho Transportation Development District Board to a meeting to discuss problems prior to the Judge making a decision.

Discussion was held as to the miscommunication between boards and the need for transparency.

Mayor Davidson stated he would contact Mr. Cummins to set a date that is convenient for the Neosho TDD Board.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Ruth and seconded by Councilman Collinsworth to adjourn the October 5, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the October 5, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:20 a.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
October 16, 2012 – 6:00 p.m.
The Civic Center
109 West Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 6:00 p.m.

ROLL CALL

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

CITY OFFICERS PRESENT: Troy Royer, City Manager and Nora Houdyshell, City Clerk.

Neosho TDD work session discussions

Mayor Davidson stated the meeting was scheduled to create communication between the City Council and the Transportation Development District Board without the attorneys present to try to resolve issues.

Mayor Davidson further stated he was notified 15 to 20 minutes prior to the meeting that the TDD will not attend due to pending litigation.

Councilman Hart stated he individually had private discussions with certain TDD board members where progress was being made. He further expressed disappointment that TDD Board members did not show for this meeting and that the two parties could not sit down without attorneys and work this out.

Councilman Ruth stated the light at Kodiak and 60 has always been the priority of this council and the Judge ordered it to be put in. He further stated the City offered to cost share. Mr. Ruth stated due to the lack of representation of the TDD Board at this meeting and lack of cooperation throughout, he will not support another meeting.

Councilman Charles Collinsworth read from a prepared statement including but not limited to the following:

Mr. Collinsworth stated his priority is to ensure the TDD is legal and couldn't compromise on taxation without representation. Councilman Collinsworth further stated a city-sponsored CID (Community Improvement District) would allow the voting taxpayers to hold board members accountable, as they would be appointed by the elected city council whereas the TDD board members are elected by the landowners within the district.

Visitor Gene Franklin spoke from the floor stating the tax payers didn't vote but taxpayer money is being used.

Councilman Workman stated the TDD Board approached the City for support on the TDD after the School and county turned them down. He further stated frustration with the countless hours spent on this topic and not being any closer to a resolution.

Visitor Steve Roark spoke from the floor stating his support for the TDD and hoped the existing TDD would be allowed to continue, but with some changes, such as the inclusion of traffic safety improvements on Kodiak Road and Waldo Hatler Drive. He further stated we need to have areas of residential and commercial development.

Mayor Davidson outlined deadlines presented by MoDOT and the threat of the stoplight at U.S. Highway 60 and Kodiak Road not being completed. He further stated the city proposed a Community Improvement District, being more sound and lawful by strictly limiting the scope of projects which TDD officials have rejected. Mayor Davidson concluded by stating public safety is important, taxpayer accountability is important, managing taxpayer funds is important.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Workman to adjourn the October 16, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the October 16, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 6:43 p.m.

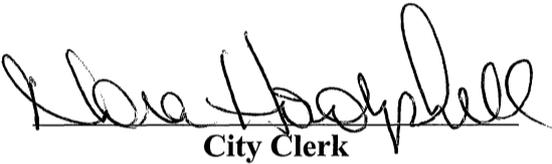
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
October 16, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Jim Hardwicke gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Dana Daniel, Development Services Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; John Jordon, Parks and Recreation Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of October 2, 2012 Regular Session and October 5, 2012 Special Sessions were approved as presented.

VISITORS BUSINESS

Linda Blake – Big Spring Park Stairs

Ms. Blake addressed council stating support for keeping the Big Spring Park stairway.

UNFINISHED BUSINESS

Bill No. 2012-508...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2012 and ending September 30, 2013...2nd and 3rd Reading.

Bill No. 2012-508 for Ordinance No. 519-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to pass Bill No. 2012-508 on second and third readings.

Roll call vote:

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

Motion carried.

BID

There were none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Consider approval of Change Order #3 Kodiak Water Line.

Mr. Scott Flemming with HDR|Archer reviewed change order.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve change order #3 to Contract 3 for the Kodiak Transmission Main project in the amount of \$8,259.30 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of Change Order #4 Downtown Water Lines.

Mr. Scott Flemming stated this change order is due to additional tie ins as found during field work in the amount of \$67,600.88 and additional valves in the amount of \$93,824.

Mr. Flemming further stated additional water lines have been identified during the project that need replaced along McKinney between Valley and Veta, Laquesta between Daugherty and Southard and Kentland between Stratford and Carl Sweeney which would increase the change order in the amount of \$253,982.34.

Discussion followed.

Motion was made by Councilman Hart and seconded by Councilman Workman to approve Change Order #4 to Contract 2 for the Downtown Water Mains project in the amount of \$415,407.22 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of Changer Order #4 Water Treatment Plant.

Mr. Flemming reviewed the change order.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to approve Change Order #4 to Contract 1 for the Water Treatment Plant project in the amount of \$17,489.74 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider authorizing the expenditure of Hotel/Motel Tax funds.

City Manager Royer reviewed a report received by Branco stating Branco paid into the tournament the amount of \$12,906 in 2011, \$765 in 2010 and \$32,000 in 2009. He further stated Branco insured that the City would be recognized for their donation.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to authorize City's expenditure in the amount of \$10,000 for the Holiday Classic Tournament.

Roll call vote:

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

Motion carried.

Discussion referencing Neosho TDD matters.

Mayor Davidson gave overview of the city council special session meeting then stated the TDD Board is proposing to talk through legal issues via conference call with legal counsel, Mayor and Jim Cummins on Wednesday with a follow up meeting with council on Thursday.

Councilman Ruth stated objections followed by motion.

Motion was made by Councilman Ruth and seconded by Councilman Hart for council members and legal council to not meet or discuss further.

Councilman Hart stated there is no need to spend more taxpayer money on discussions. Mr. Hart then asked City Attorney if the issues could be resolved without attorney involvement.

City Attorney Hays stated there could be discussions and an agreement made then have the attorneys review it. Mr. Hays further stated the conference call may not resolve anything as both sides know have voiced their interpretation of the law.

Mayor Davidson stated there is no need to spend taxpayer funds for attorney fees. He further stated the city has tried to reach a compromise.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Financial Reports

City Manager Royer gave an overview of the financial statements including the September figures were drafted as staff will be preparing adjustments for the end of the fiscal year.

City Manager Troy Royer – Big Spring Park Stairs

Mr. Royer stated staff has reviewed options regarding the Big Spring Park stairs. He further stated to build a wall and backfill over the stairs for vacating the estimated fee is \$6,300. Mr. Royer stated to repair the railing and the stairs the estimated fee is \$21,770. Mr. Royer stated if the council chose to keep the stairs open to the public, maybe civic groups or individuals would like to make donations to help offset the expense.

Councilman Hart agreed with the plea to civic groups for donations.

Councilman Workman stated he would like to keep the stairs and feels confident the citizens would help.

Councilman Ruth stated he would like to maintain the stairs and suggested getting more bids.

Councilman Collinsworth stated these stairs are a landmark and wants to restore them.

Mayor Davidson stated he would like to see the stairs restored and to have the city engineer review the plans.

Dana Daniel, Director of Development Services – Grant

Mr. Daniel gave an update to council regarding the MODOT grant. He stated after city staff met with Allgeier the following projects were recommended.

1. Development of a pavilion and sidewalks in the grassy area west of the Civic Center.
2. Sidewalks from the Fish Hatchery connecting to old Benton.

Mr. Daniel also stated he is waiting further information from MoDOT regarding the ability to use these grant funds towards restoring the stairs at Big Spring Park.

It was the consensus of the council to proceed with the grant application process.

APPOINTMENTS & VACANCIES

Mayor Davidson announced the following vacancies:

Airport Industrial Development Board: Two vacancies currently exist for a three year term due to the expiring terms of Richard Davidson and Mark Knight beginning October 1, 2012.

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

Board of Appeals: Seven vacancies currently exist for terms of three years, three beginning November 1, 2008, two beginning November 1, 2009, and two beginning November 1, 2010.

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

Parks Recreation and Golf Course Board: Two one-year term vacancies currently exist. Two (2) members shall be a resident citizen of the City of Neosho or may or may not be a citizen of Neosho but must be residents of Newton County.

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

Senior Citizen Committee: One vacancy will exist for a three year term beginning November 1, 2012 due to the expiring term of Bonita Derryberry.

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to appoint Bonita Derryberry to the Senior Citizen Committee for a term of three years beginning November 1, 2102.

Roll call vote:

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

Motion carried.

CLOSED MEETING:

Mayor Davidson announced there was no reason to go into closed.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the October 16, 2012 Regular Session City Council meeting.

ADJOURN

Motion to adjourn by Councilman Collinsworth.
Seconded by Councilman Workman.

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 7:56 p.m.

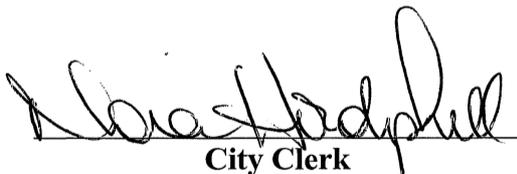
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

Please Note: These are legal size pages.

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
October 24, 2012 – 8:30 a.m.
City Hall Conference Room
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Pro Tem Hart called the meeting to order at 8:31 a.m.

ROLL CALL

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

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

CLOSED MEETING:

Motion was made by Councilman Collinsworth and seconded by Councilman Workman to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Pro Tem Hart closed the meeting at 8:32 a.m.

The meeting reconvened in open session at 9:04 a.m. and Mayor Pro Tem Hart announced the council conferred with the city attorney and two votes were taken.

ADJOURN

Mayor Pro Tem Hart asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Workman and seconded by Councilman Ruth to adjourn the October 24, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the October 24, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Pro Tem Hart adjourned the meeting at 9:04 a.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
November 6, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Sean Pratt gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

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

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of October 16, 2012 regular and Special Sessions and October 24, 2012 Special Session and October 24, 2012 Special Closed Sessions were approved as presented.

VISITORS BUSINESS

There was none.

UNFINISHED BUSINESS

There was none.

BID

The following bid recommendations were presented for consideration.

Police Department – Patrol Vehicles

Dave McCracken, Police Chief, recommended council accept the Missouri State bid to purchase a 2013 Ford Interceptor Sedan in the amount of \$24,973 and a 2013 Ford Interceptor Utility in the amount of \$26,496.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to accept the bid from the State of Missouri as presented.

Roll call vote:

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

Motion carried.

Public Works - Truck

Mike Hightower, Public Works Director, informed the council there were three bidders for the public works truck and recommended the council accept the bid from Joe Machens Ford in the amount \$34,356.

**PUBLIC WORKS DEPARTMENT – TRUCK
BID OPENING SUMMARY**

The following bids were received through MoDOT’s Cooperative Purchasing Bid:

Joe Machens Ford	\$34,356
Capitol Chrysler Jeep Dodge	\$39,983
Putnam Chevrolet Co	\$35,203

Motion was made by Councilman Workman and seconded by Councilman Ruth to award bid to Joe Machens Ford for the 2013 1 Ton 4WD Regular Cap Diesel Engine truck in the amount of \$34,356.

Roll call vote:

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

Motion carried.

Administration – City Audit Services

Troy Royer, City Manager, informed the council there were three bidders for the independent auditing service and recommended the council accept the bid from Davis, Lynn & Moots PC in the amounts of \$24,500 (2012); \$25,500 (2013) and \$26,500 (2014).

The following bids were received by:

	2012	2013	2014
Davis, Lynn & Moots	\$24,500	\$25,500	\$26,500
Cochran, Head, Vick & Co	\$24,980	\$25,725	\$26,500
Fountain & Associates	\$24,250	\$25,390	\$27,080

Councilman Ruth stated concerns regarding keeping the same auditor for several years.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to award bid to Davis, Lynn & Moots.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

Neosho R-5 School District – 13th Annual Senior Citizen Appreciation Banquet

Mayor Davidson announced the annual banquet and encouraged attendance.

NEW BUSINESS

Bill No. 2012-509...Declaring certain real property as surplus and setting forth the method of disposing of same...1st Reading.

Bill No. 2012-509 was read by title only by Mr. Hays.

Chief McCracken stated he was declaring surplus of three police vehicles in order to purchase replacements.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to pass Bill No. 2012-509 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of MoDOT contract for the Hugh Robinson Memorial Airport lighting project.

Dana Daniel, Development Services Director stated the engineer bid services contingent upon MODOT approval for the airport lighting project and recommends council approve the contract with Strukel Electric.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to accept the engineer's recommendation to approve an agreement with Strukel Electric upon MoDot's approval and authorize Mayor to execute and authorize the city manager to sign the sponsor certification.

Roll call vote:

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

Motion carried.

Consider request for water service at 13750 Palm Road.

Mr. John Harrington, Code Enforcer explained the request for water services at 13750 Palm Road.

Discussion followed.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the Irrevocable Consent to Annexation and Agreement Relating Thereto and allow connection to city water.

Roll call vote:

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

Motion carried.

Consider rescinding by resolution the letter of support for the Transportation Development District (TDD) approved by city council April 1, 2008.

Resolution Bill No. 2012-11 for Resolution 133-2012 was read by title only by Mr. Hays.

Mayor Davidson stated since the execution of the Cooperative Agreement it has been determined the TDD is not properly formed.

Motion was made by Councilman Ruth and seconded by Councilman Hart to adopt Resolution Bill No. 2012-11.

Roll call vote:

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

Motion carried.

Consider rescinding Ordinance No. 497-2012...Authorizing the Mayor to execute a Cooperative Agreement between the City of Neosho and the Neosho Transportation Development District (TDD) in accordance with revised statues of Missouri Chapter 238.

Bill No. 2012-510 was read by title only by Mr. Hays.

Motion was made by Councilman Ruth and seconded by Councilman Hart to pass Bill No. 2012-510 on first reading.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Troy Royer, City Manager – Big Spring Stairs

Mr. Royer stated correspondence has been received regarding donations to save the stairs.

Troy Royer, City Manager – Missouri Housing Development

Mr. Royer stated he and Dana Daniel would attend the Missouri Housing Development meeting on November 8th.

Troy Royer, City Manager – Land3 Studio

Mr. Royer stated there will be a public meeting held by Land3 Studio November 7th at 6:00 pm. at the Lampo Building.

Troy Royer, City Manager – Finance Director

Mr. Royer introduced the new Finance Director, Pete Ramsour.

APPOINTMENTS & VACANCIES

Airport Industrial Development Board: Two vacancies currently exist for a three year term due to the expiring terms of Richard Davidson and Mark Knight beginning October 1, 2012.

Motion was made by Councilman Workman and seconded by Councilman Hart to reappoint Richard Davidson to the Airport Industrial Development Board for a term of three years.

Roll call vote:

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

Motion carried.

Mayor Davidson announced the following vacancies:

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

Board of Appeals: Seven vacancies currently exist for terms of three years, three beginning November 1, 2008, two beginning November 1, 2009, and two beginning November 1, 2010.

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

Historic District Commission: One vacancy will exist beginning December 1, 2012 for the expiring term of Don McBride.

Parks Recreation and Golf Course Board: Two one-year term vacancies currently exist. Two (2) members shall be a resident citizen of the City of Neosho or may or may not be a citizen of Neosho but must be residents of Newton County.

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

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Collinsworth to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 7:50 p.m.

The meeting reconvened in open session at 8:57 p.m. and Mayor Davidson announced the council conferred with the city attorney and two votes were taken.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the November 6, 2012 Regular Session City Council meeting.

Motion to adjourn by Councilman Workman.
Seconded by Councilman Collinsworth.

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 8:57 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:


City Clerk

MINUTES
NEOSHO CITY COUNCIL
November 20, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Charles Collinsworth gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

CITY STAFF PRESENT: Dana Daniel, Development Services Director; David McCracken, Police Chief; Mike Hightower, Public Works; Pam Baker, Human Resources Director; Peter Ramsour, Finance Director; Daphne Pevahouse, Accounting Manager/Assistant Finance Director.

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of November 6, 2012 Regular Session and November 6, 2012 Closed Sessions were approved as presented.

PROCLAMATION:

Mayor Davidson stated the following proclamation was issued on November 6, 2012.

Employee of the Quarter – Terra Sanders

Whereas, Ms. Terra Sanders has been a trustworthy employee that cares; and

Whereas, Terra Sanders works for the Development Services Department; and

Whereas, Terra Sanders has portrayed herself to be an outstanding asset to our team and shows integrity in every aspect of her job and character; and

Whereas, Terra Sanders assists the City Clerk, the License Clerk, the Development

Council Minutes – November 20, 2012

Bill No. 2012-510...Providing for repeal of ordinance number 497-2012, execution of cooperative agreement, declaring same to be null and void and of no effect...2nd and 3rd reading.

Bill No. 2012-510 for Ordinance No. 521-2012 was read by title only by Mr. Hays.

Councilman Collinsworth reminded the public that this was not done with malicious intent. He further stated this was a matter of housekeeping and wants to work something out with the TDD Board.

Councilman Hart stated both the Council and the TDD Board members along with their attorneys have agreed the TDD as it is currently structured, is flawed.

Mayor Davidson stated the County has been approached to cooperate in fixing the TDD.

Motion was made by Councilman Ruth and seconded by Councilman Workman to pass Bill No. 2012-510 on second and third readings.

Roll call vote:

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

Motion carried.

BID

The following bid recommendations were presented for consideration.

Police Department – Police Vehicles

David McCracken, Police Chief, recommended to the council to accept the State of Missouri bid to purchase three 2013 Ford police patrol units in the amount of \$24,973 for two 2013 Ford Interceptor Sedans and \$26,496 for a 2013 Ford Interceptor Utility vehicle. He further stated with trade-ins the total purchase price would be \$62,042.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to award bid to Joe Machens Ford Lincoln as presented, in the amount of \$62,042.

Discussion followed.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

Judith Haas Smith – Big Spring Steps

Mayor Davidson announced a letter had been received by the City Council as well as being published in the Neosho Daily from Ms. Smith encouraging council to save the Big Spring stairs. He further stated the current council is in support of preserving the stairs.

NEW BUSINESS

Consider approval and acceptance of Missouri Police Association grant.

Police Chief McCracken reviewed the Missouri Police Chief's Association grant which will provide upgrades for all but two of the police units.

Council Minutes – November 20, 2012

Councilman Tom Workman – Morale

Councilman Workman stated the morale with city employees is better than it has been in 20 years. He further stated he has heard a lot of good things about John Harrington and that his hard work is appreciated.

Pete Ramsour, Finance Director – Financial Report

Mr. Ramsour reviewed financial reports.

APPOINTMENTS & VACANCIES

Mayor Davidson announced the following vacancies:

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

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

Board of Appeals: Seven vacancies currently exist for terms of three years, three beginning November 1, 2008, two beginning November 1, 2009, and two beginning November 1, 2010.

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

Historic District Commission: One vacancy will exist beginning December 1, 2012 for the expiring term of Don McBride.

Parks Recreation and Golf Course Board: Two one-year term vacancies currently exist. Two (2) members shall be a resident citizen of the City of Neosho or may or may not be a citizen of Neosho but must be residents of Newton County.

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

CLOSED MEETING:

Mayor Davidson announced because the TDD Board did not give notification from their meeting scheduled earlier, there is no need for a closed.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the November 20, 2012 Regular Session City Council meeting.

Motion to adjourn by Councilman Workman.
Seconded by Councilman Collinsworth.

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 8:00 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
November 27, 2012 – 5:30 p.m.
City Hall Conference Room
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 5:35 p.m.

ROLL CALL

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

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

ROLL CALL

Discussion regarding Neosho Transportation Development District.

Mayor Davidson reviewed emailed correspondence from the TDD's attorneys regarding items to be resolved before the court date on Friday.

Discussion was held regarding the City's unwillingness to assume the incurred TDD debt, importance of safety and traffic light installation, how this will affect MoDOT and the possibility of a CID in lieu of the TDD.

(Councilman Collinsworth stepped out from 5:55 p.m. to 5:59 p.m.)

Councilman Hart handed out a Google map of the TDD area explaining a plan using TIF funds.

Mayor Davidson recited portions of a letter from the TDD's attorneys.

Point of Order

Mr. Ray Stipp from the floor addressed council and stated if the TDD is determined not legal then the MoDOT cost share goes away.

Mr. Steve Roark from the floor addressed council and asked the council to reconsider the term agreement presented November 2 whereby the TDD can be formed in conjunction with the city and county.

Mayor Davidson stated the council will not consider restructuring under Section 5.

CLOSED MEETING:

Motion was made by Mayor Davidson and seconded by Councilman Hart to close the meeting pursuant to Section 610.021(1) RSMo,...Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Roll call vote:

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

Motion carried.

Mayor Davidson closed the meeting at 6:21 p.m.

The meeting reconvened in open session at 6:48 p.m. and Mayor Davidson announced the council conferred with the city attorney and two votes were taken.

MINUTES
NEOSHO CITY COUNCIL
December 4, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

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

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

ROLL CALL

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

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

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

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of November 20, 2012 Regular Session and November 27, 2012 Special Session and Closed Sessions were approved as presented.

VISITORS BUSINESS

Mayor Davidson welcomed and announced the attendees of Boy Scout Troop 34 present at the meeting.

UNFINISHED BUSINESS

There was none.

BID

The following bid recommendations were presented for consideration.

Public Works Department – Chain Link Fence

Mike Hightower, Public Works Director, informed the council there were three bidders for the chain link fence to be constructed at the new public works facility and recommended the council accept the bid from Stafford Fencing in the amount \$24,878 and authorize Mayor to execute the notice of award.

**PUBLIC WORKS DEPARTMENT – FY 2013 CHAIN LINK FENCE
BID OPENING SUMMARY**

The bid opening was held at 10:00 a.m., November 20, 2012 at the public works department. Present for the opening were Stacey Barnes and Mike Hightower.

The following bids were received by:

Anchor Fence	\$24,600
Jeremy Stafford	\$24,878
Keith Winchester	No Bid
Southwest Fence	\$29,134

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to award bid to Stafford Fencing in the amount of \$24,878.

After reviewing of the notice of award by the city attorney and mayor, Mayor Davidson stated the council would not consider the execution of the notice of award. He further directed Mr. Hightower to bring the agreement back at the next city council meeting.

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-511...Providing for the amendment of Article III, code section 125.110...1st reading.

Bill No. 2012-511 was read by title only by Mr. Hays.

Mayor Davidson reviewed.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to pass Bill No. 2012-511 on first reading.

Roll call vote:

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

Motion carried.

Consider approval of the Franklin's Flying Circus agreement.

Wes Franklin, Events Coordinator stated Franklin's Flying Circus has offered to perform a twilight air show on June 29, 2013 for the Celebrate Neosho event in the amount of \$8,500 plus 50 gallons of smoke oil and 100 gallons of 100 octane or LL fuel. He further stated this has been budgeted and would be paid for out of the hotel/motel fund.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve the agreement and authorize Mayor to execute.

Discussion followed.

Roll call vote:

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

Motion carried.

Consider approval of Change Order #1 to Swift Construction for Highway 59 paving project.

Mike Hightower, Public Works Director stated this is the only and final change order with Swift Construction for Highway 59 paving project reflecting the revised contract amount to be \$477,137.93 reflecting a reduction of \$66,247.89.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve Change Order #1 and authorizing Mayor to execute.

Discussion followed.

Roll call vote:

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

Motion carried.

Consider approval of Change Order #5 to Branco Enterprises for the Peak Flow EQ Basin and Pump Station.

Public Works Director Mike Hightower reviewed the change order for an additional amount of \$31,663.83 which is being reimbursed by HDR|Archer.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve Change Order #5 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Ozark Business System service agreements.

Nora Houdyshell, City Clerk stated the maintenance service agreements with Ozark Business Systems had expired in June of this year wherein the previous Finance Director renewed and authorized the agreement. She further stated due to improper procedure and to continue transparency, she is bringing the agreements before council for approval.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the maintenance agreements with Ozark Business Systems and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Newton County Central Dispatch Center agreement.

Police Chief, David McCracken stated this is a renewal for dispatching and answering services in the amount of \$7103.26 per month. He further stated this is a 2% increase above last year's rate due to more usage by both police and fire.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to approve the Newton County Central Dispatch Center agreement and authorize Mayor to execute.

Discussion followed.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

City Clerk - Consider rescheduling January 1, 2013 city council meeting.

City Clerk Houdyshell stated the first regular scheduled city council meeting in January fell on a holiday. She further stated historically when this occurred the council held the meeting on the following Tuesday.

Discussion followed.

It was the consensus of the council to approve the January city council meetings to be moved and held on January 8th and January 22nd.

Councilman Tom Workman – Basket Brigade

Councilman Workman thanked Mike Hightower for assisting the Basket Brigade.

Troy Royer, City Manager – Introductions

Mr. Royer introduced Steve Herrin, Airport Manager and Wes Franklin, Events Coordinator to the council.

Troy Royer, City Manager – Golf Course Management

Mr. Royer stated Mr. Beck has provided a 90 day notice and no longer be contracted as the Golf Course Pro. Mr. Royer reviewed the proposed city operated golf course budget.

Discussion held.

It was the consensus of the council to authorize city manager to proceed with city employee ran golf course.

Mayor Richard Davidson – Employee of the Year

Mayor Davidson announced city staff determines an employee of the quarter and from those picked he would like the city council to pick an employee of the year to be recognized and assist in the tree lighting ceremony. He further stated he would recommend John Harrington as employee of the year.

Councilman Collinsworth stated he would like to see the tree lighting ceremony take place the same time as the Christmas parade.

Discussion followed.

It was the consensus of the council to move forward with choosing an employee of the year and have them turn the Christmas lights on at the tree lighting ceremony.

Wes Franklin – Events Coordinator

Mr. Franklin informed council he has been updating the city's website including incorporating the Nixel program which allows text messages and emails to be sent to citizens that sign up for it at no cost to them. He further stated he has also formed a city face book page.

Councilman Steve Hart – Property Tax

Councilman Hart stated in lieu of the city's financial situation, he would like the council to consider reducing the property tax.

Mayor Richard Davidson – Neosho Business Council

Mayor Davidson stated he has received calls regarding past discussions of the Neosho Business Council. He further stated this would not be in competition with the Chamber of Commerce.

APPOINTMENTS & VACANCIES

Mayor Davidson announced the following vacancies:

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

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

Board of Appeals: Seven vacancies currently exist for terms of three years, three beginning November 1, 2008, two beginning November 1, 2009, and two beginning November 1, 2010.

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

Historic District Commission: One vacancy will exist beginning December 1, 2012 for the expiring term of Don McBride.

Parks Recreation and Golf Course Board: Two one-year term vacancies currently exist. Two (2) members shall be a resident citizen of the City of Neosho or may or may not be a citizen of Neosho but must be residents of Newton County.

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

CLOSED MEETING:

Mayor Davidson announced there is no need for a closed.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the December 4, 2012 Regular Session City Council meeting.

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

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 8:17 p.m.

APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

MINUTES
NEOSHO CITY COUNCIL
December 18, 2012 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Josh Branham gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

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

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

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

APPROVAL OF AGENDA

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

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

CONSENT AGENDA:

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

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of December 4, 2012 Regular Session were approved as presented.

VISITORS BUSINESS

There was none.

UNFINISHED BUSINESS

Bill No. 2012-511...Providing for the amendment of Article III, code section 125.110...2nd and 3rd reading.

Bill No. 2012-511 for Ordinance No. 522-2012 was read by title only by Mr. Hays.

Motion was made by Councilman Collinsworth and seconded by Councilman Ruth to pass Bill No. 2012-511 on second and third readings.

Mayor reviewed.

Roll call vote:

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

Motion carried.

BID

There were none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2012-512... Providing that the revenues and expenditures budget be amended for the Fiscal year beginning October 1, 2012 and ending September 30, 2013...1st reading. (Golf Course)

Bill No. 2012-512 was read by title only by Mr. Hays.

City Manager Royer reviewed the proposed FY2013 changes to the golf course budget.

Mayor Davidson verified the amendment included prorating the \$20,000 paid to Golf Course Pro, Justin Beck at the renewing of his contract.

Motion was made by Councilman Workman and seconded by Councilman Hart to pass Bill No. 2012-512 on first reading.

Discussion followed.

Roll call vote:

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

Motion carried.

Bill No. 2012-513... Providing that the revenues and expenditures budget be amended for the Fiscal year beginning October 1, 2012 and ending September 30, 2013...1st reading. (IT)

Bill No. 2012-513 was read by title only by Mr. Hays.

City Manager Royer stated this budget amendment reflects the reduced amount budgeted for IT professional services and increased the budget by adding an IT employee.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to pass Bill No. 2012-513 on first reading.

Discussion followed.

Roll call vote:

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

Motion carried.

Consider approval of the Stafford Fencing agreement.

Mayor Davidson stated this is a contract for chain link fencing which is following up from the last meeting wherein the council approved the bid with Stafford Fencing.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the Stafford Fencing contract in the amount of \$24,878.00 and authorize Mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of David E. Ross Construction Company Change Order #5 for water treatment plant and pumping improvements.

Mr. Scott Fleming with HDR|Archer stated this change order is for filters which are very necessary. Mr. Fleming also stated the contract is progressing well under budget.

Motion was made by Councilman Workman and seconded by Councilman Hart to approve change order #5 with David E. Ross Construction Company in the amount of \$6,713.78 and authorize mayor to execute.

Roll call vote:

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

Motion carried.

Consider approval of the Blue Valley Public Safety agreement.

Chief Eads stated this is for an annual maintenance for the outdoor warning sirens and recommends approving the agreement with Blue Valley Public Safety Inc.

Motion was made by Councilman Workman and seconded by Councilman Collinsworth to approve the Blue Valley Public Safety maintenance agreement in the amount of \$5,064.00 and authorize Mayor to execute.

Discussion followed.

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Councilman Tom Workman – Basket Brigade

Councilman Workman thanked Mike Hightower, Duane Lynch and all city employees for assisting with the Basket Brigade.

Dana Daniel – Big Spring Park Trees

Mr. Daniel explained to council that the big walnut tree by the playground along with a few other trees will need to be taken down as they are no longer safe.

Pete Ramsour - Financials

Mr. Ramsour reviewed financials highlighting the fact that although the sales tax is down the city has 156 days of cash reserves.

Councilman Collinsworth thanked the city manager for being proactive and forwarding an email to council as soon as he noticed the sales tax numbers were down.

Mr. Ramsour gave acclamation towards Finance Manager Daphne Pevahouse for her hard work and assistance.

Councilman Ruth thanked all employees who have suffered department budget cuts and worked hard to get the reserves.

Mayor Davidson stated it was no surprise the sales tax numbers have gone down and thanked council and employees.

Events Coordinator, Wes Franklin – Cruise Night

Mr. Franklin informed council for every month of March through October, he is coordinating a cruise on the square that will host 100-150 cars.

Councilman Steve Hart – Stairs at Big Spring Park

Councilman Hart stated for clarification that it was the consensus of the council to move forward with restoring the stairs at Big Spring Park.

Councilman Steve Hart – Property Tax

Councilman Hart asked the city manager to provide budget estimates with the reduction of the property tax collected.

Councilman Workman stated support of rolling back the property tax amount but cautioned it may need to be rolled back in stages.

APPOINTMENTS & VACANCIES

Mayor Davidson announced the following vacancies:

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

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

Board of Appeals: Seven vacancies currently exist for terms of three years, three beginning November 1, 2008, two beginning November 1, 2009, and two beginning November 1, 2010.

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

Historic District Commission: One vacancy will exist beginning December 1, 2012 for the expiring term of Don McBride.

Planning and Zoning Commission: One vacancy exists beginning August 30, 2012 for the expiring term of Louise Estes.

ADJOURN

Mayor Davison asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the December 18, 2012 Regular Session City Council meeting.

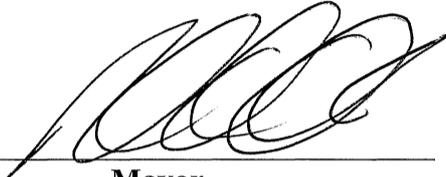
Motion to adjourn by Councilman Collinsworth.
Seconded by Councilman Hart.

Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 7:47 p.m.

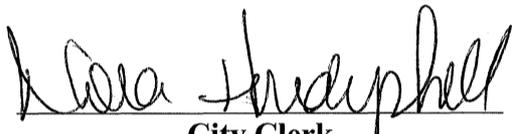
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk

**MINUTES – SPECIAL SESSION
NEOSHO CITY COUNCIL
December 28, 2012 – 9:00 a.m.
City Hall Council Chambers
203 E. Main St., Neosho, MO**

A quorum being present, Mayor Davidson called the meeting to order at 9:07 a.m.

ROLL CALL

COUNCIL PRESENT: Charles Collinsworth, Richard Davidson, Steve Hart

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

Consider approval of IT Equipment bid.

Mayor Davidson stated concerns regarding ProCT bidding for the servers instead of the city due to potential profit made by ProCT.

City Manager Royer declared the current agreement with ProCT states they can act as a liaison for equipment purchases. He further stated the urgency as the software conversion process from the City's AS400 program to Springbrook will be taking place the week of January 14th.

While City Attorney Hays acknowledged the necessity to have the expertise of consultants, the City should have handled the bidding process. Mr. Hays stated it is possible the procedure could be questioned.

Councilman Collinsworth stated concerns regarding the possible perception of impropriety.

Discussion followed.

Motion was made by Councilman Collinsworth and seconded by Councilman Hart to approve bid in the amount of \$39,452.00 contingent upon correspondence from ProCT with quotes at or below the state bid pricing.

Roll call vote: Charles Collinsworth - Yes, Richard Davidson - Yes, Steve Hart – Yes. Motion carried.

ADJOURN

Mayor Davidson asked if there was any further business to come before Council, with no response he asked for a motion to adjourn.

Motion was made by Councilman Hart and seconded by Councilman Collinsworth to adjourn the December 28, 2012 Special Session City Council meeting.

It was the consensus of the council to adjourn the December 28, 2012 Special Session City Council meeting.

There being no further business to come before the council, Mayor Davidson adjourned the meeting at 9:22 a.m.

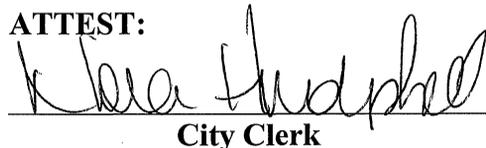
APPROVED:

NEOSHO CITY COUNCIL



Mayor

ATTEST:



City Clerk