

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**December 17, 2013 - 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 7:01 p.m.

**ROLL CALL**

COUNCIL PRESENT:

Charles Collinsworth  
Steve Hart  
Tom Workman

Richard Davidson  
David Ruth (Absent)

CITY OFFICERS PRESENT:

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

David McCracken, Police Chief  
Mike Eads, Fire Chief  
Daphne Pevahouse, Finance Director  
Maron Towse, Golf Course Superintendent  
Mike Hightower, Public Works  
Pam Baker, Human Resources Director  
Dana Daniel, Development Services Director  
Amy Moritz, Parks Director

**EXCUSE OF ABSENCE**

Motion was made to excuse the absence of Councilman Ruth as he was at his daughter's recital by Councilman Hart and seconded by Councilman Collinsworth. The motion passed by consensus.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

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

Roll call vote:

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

Motion carried.

**MINUTES:**

The minutes of December 3, 2013, Regular Sessions were approved as presented.

**VISITORS BUSINESS**

**Mr. Tim Booyer – Sidewalk**

Mr. Booyer stated his address for the council and reviewed the history and work he has put into the brick sidewalk in front of his residence.

**UNFINISHED BUSINESS**

**Bill No. 2013-591...Providing that the revenues and expenditures budget be amended for the fiscal year beginning October 1, 2013 and ending September 30, 2014...2<sup>nd</sup> and 3<sup>rd</sup> Reading**

Bill No. 2013-591 for Ordinance No. 70-2013 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-591 on second and third readings by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

**Bill No. 2013-592...Declaring certain personal property as surplus and setting forth the method for disposing of same...2<sup>nd</sup> and 3<sup>rd</sup> Reading**

Bill No. 2013-592 for Ordinance No. 71-2013 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-592 on second and third readings by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**Bill No. 2013-593...Declaring certain personal property as surplus and setting forth the method for disposing of same...2<sup>nd</sup> and 3<sup>rd</sup> Reading**

Bill No. 2013-593 for Ordinance No. 72-2013 was read by title only by Mr. Hays.

Motion to pass Bill No. 2013-593 on second and third readings by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**BID**

The following bid recommendations were presented for consideration.

**Public Relations/Events Coordinator – Celebrate Neosho Fireworks**

Public Relations/Events Coordinator Wes Franklin informed the council there were three bids solicited for the Celebrate Neosho fireworks display scheduled for June 28, 2014, and two bids were received. He recommended the council accept the bid from AM Pyrotechnics in the amount of \$6,505.55.

EVENTS – FIREWORKS BID SUMMARY

The bid opening was held at 3:30 p.m., December 2, 2103, with Wes Franklin and Crystal Merrick present.

The following bids were received by:

AM Pyrotechnics, Buffalo, Mo

- \$5,369.89. 622 shells ranging from 2.5 inch to 10 inch in diameter.
- \$6,505.55. 823 shells ranging from 2.5 inch to 10 inch in diameter.

J&M Displays, Yarmouth, IA

- \$6,900. 1,228 shells ranging from 2.5 inch to 5 inch in diameter.
- \$7,500. 1,297 shells ranging from 2.5 inch to 5 inch in diameter.
- \$8,500. 1,487 shells ranging from 2.5 inch to 5 inch in diameter.
- \$9,500. 1,753 shells ranging from 2.5 inch to 5 inch in diameter.

No bid received from Premier Pyrotechnics

Discussion followed.

Motion to accept bid from AM Pyrotechnics for fireworks in the amount of \$6,505.55 by Councilman Collinsworth and seconded by Councilman Hart

Roll call vote:

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

Motion carried.

**Human Resources – City Health Insurance Broker/Third Party Administrator**

Pam Baker, Human Resources Director, informed the council there were nine bids solicited for insurance brokers and four bids were received. She recommended the council accept the bid from Benefit Consultants/BMI.

Mayor Davidson stated he would not motion to approve the contract as there has not been one provided for review. He confirmed by bringing the agreement for approval in January would not hinder the effective date of February 1, 2014.

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Bid Summary:

Health Insurance Broker/Third Party Administrator Bids

	Specific Stop Loss	Contract Basis	Aggregating Specific/Employee	Annual Specific Premium	Medical Admin Fee	Spec Adv Fee	UR/Precert Access Fee	PPO Access Fee	Broker Fee
<b><i>Bidding Companies:</i></b>									
Benefit Management Inc. (TPA) Insurance Benefit Consultants (Broker) Neosho, MO (Bid based on 115 participants)	\$50,000	12/12	68.51	144,961.44	19.75	1.00	0.00	16.00	0.00
Benefit Administrative Systems, LLC (TPA) ECCHIC (Broker) St. Louis, MO (Bid based on 113 participants)	\$50,000	12/12	68.51	143,317.20	19.75	1.00	0.00	16.00	5.00
**Benefit Management Inc. (TPA) Beimdiek (Broker) Carthage, MO (Bid based on 122 participants)	\$60,000	Not provided	74.47	173,421.84	15.00	6.97	1.50	0.00	0.00
***HM Insurance Group (TPA) Med-Pay, Inc. (Broker) Springfield, MO	Not provided	Not provided	Not provided	Not provided	16.00	Not provided	Not provided	Not provided	Not provided

\*\* Specific stop loss bid too high (\$60,000) & administrative fees are higher

\*\*\* Did not provide the bid information requested

*Insurance Benefit Consultants/BMI's specific premium is only 1% higher than our current broker ECCHIC/BAS; however, we supplied a census with 115 employees which was what Insurance Benefit Consultants/BMI used and ECCHIC calculated on 113 employees which would make the 1% non-existent.*

Motion to accept bid from Insurance Benefit Consultants/BMI by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**CORRESPONDENCE**

**Roughrider Rodeo – Letter of gratitude**

Mayor Davidson reviewed the correspondence.

**NEW BUSINESS**

**Consider approval of design change for the Hatchery Trail Project.**

Dana Daniel, Development Services Director reviewed three options regarding the Hatchery Trail Project STP-3397(404) to incorporate Mr. Booyer's request.

1. Move forward with the original design as described in the grant application in the estimated amount of \$279,500, the City's responsibility is in the amount of \$69,500.
2. Alter the design by installing brick on top of a concrete sub grade at the corner of McKinney and Hamilton. Estimated additional expense to the City would be \$15,000.
3. Alter the design by installing brick on top of an aggregate sub grade with an additional City expense of \$7,500.

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Councilman Collinsworth agreed that the restoration of the brick sidewalk would improve the value of the property but voiced concerns regarding maintenance responsibilities.

Discussion followed including, but not limited to, the expense of terminating the entire project.

Councilman Hart argued the advantages of \$280,000 of improvements.

Motion to approve Change Order #3 design by Councilman Hart and seconded by Councilman Workman

Roll call vote:

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

**Consider acceptance of safety equipment LLEBG grant.**

Police Chief McCracken reviewed the grant funding safety equipment including a 10% City match.

Motion to approve grant as submitted and authorize Mayor to execute by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**Consider approval of Newton County Central Dispatch agreement.**

Motion to approve the Newton County Central Dispatch Center agreement with the City of Neosho and authorize Mayor to execute by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

**Consider request for Hotel/Motel expenditure.**

Mr. Royer reviewed the request to earmark funds to the Civil Air Patrol in the amount of \$10,000 from Hotel/Motel funds for hangar renovation at the Neosho Hugh Robinson Municipal Airport. He further stated the Civil Air Patrol does not have a designated Missouri ID number or 501(c)(3) designation therefore recommending to not proceed with the request until proper agreements and expenditure processes have been agreed to.

Councilman Hart stated he requested this to be on the agenda as the Civil Air Patrol's efforts for a museum would be a wonderful thing for Neosho and bring tourist to town.

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City Attorney Hays stated the expenditure would benefit the City as improvements are made to the hangar however; he is uncomfortable recommending the expenditure without a structure in place for how the money is going to be spent.

Mayor Davidson stated the \$10,000 for repairs would not be sufficient to make the building safe.

Councilman Collinsworth stated the Civil Air Patrol's mission could materialize into something good but without proper paperwork in place he would not want to approve the expenditure at this time. He further stated there are sufficient funds in the Hotel/Motel budget for the Civil Air Patrol to approach the council when they have the proper paperwork in place.

Discussion followed.

Councilman Hart concluded the offer should be made to the Civil Air Patrol for their project to entice them to come to Neosho.

Mayor Davidson stated he heard no consensus to proceed.

### **Ethic Code City Charter revision discussion.**

Mayor Davidson stated the wording is what the council was looking for.

Without objection the Mayor directed City Attorney Hays to produce the language in proper form for the first city council meeting in January.

### **REPORT OF CITY OFFICERS**

#### **City Manager Royer – Exchange Club request**

Mr. Royer reviewed the Exchange Club's request for funding assistance from the City to maintain the flag at the intersection of Highways 60 and Business 49. He further stated that other organizations donate to the flag fund.

#### **Finance Director Pevahouse – Financials**

Mrs. Pevahouse reviewed the November financials noting that sales tax is down 2.5% for the year and cash is slightly up.

### **APPOINTMENTS & VACANCIES**

#### **Mayor Davidson read the following vacancies:**

**Airport Industrial Development Board:** Three vacancies exist for a three year term.

Expired term of Mark Knight ending on September 30, 2012.

(Affiliated Industrial Commercial Aviation Business)

Expired term of Vance Keaton ending September 30, 2013. (Financial Institution)

Remaining term of Gib Garrow due to expire September 30, 2016.

***One letter of interest has been received by Vance Keaton.***

Motion to reappoint Mr. Vance Keaton for a three year term by Councilman Workman and seconded by Councilman Collinsworth

#### Roll call vote:

Richard Davidson – Yes

Steve Hart – Yes

Tom Workman – Yes

Charles Collinsworth - Yes

Motion carried.

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**Board of Adjustments (Zoning):** Three vacancies exists for a five year term.  
Expired term of Bill Carlsten ending on October 31, 2011;  
Expired term of Tim Hansen ending on October 31, 2013;  
Resignation of Janet Penn with at term expiring October 31, 2014.  
***One letter of interest has been received by Jonas Yost***

Discussion was held between City Council, City Attorney and City Manager. Without objection from the Council it was determined it would be a conflict of interest for Mr. Yost to be on the Board of Adjustments along with the Planning and Zoning Commission. Mayor Davison directed City Clerk to contact Mr. Yost.

**Economic Development Sales Tax Committee:** One vacancy exists for a term of two years.  
Expired term Stuart Puckett ending on September 30, 2013.

No action or vote was taken.

**Enhanced Enterprise Board:** Two vacancies exists for a term of five years  
Expired term of Ray Stipp ending September 30, 2013;  
Remaining term of Gib Garrow due to expire September 30, 2016.

No action or vote was taken.

Due to private discussion between Councilman Hart, Councilman Workman and City Manager, the Mayor reviewed the vacancies on the Historic District Commission requiring no discussion as there were two letters of interest for two vacancies altering the agenda items order.

**Historic District Commission:** Two vacancies exist for a term of three years.  
Expired term of Gale Ellis ending November 30, 2013.  
Expired term of Linda Blake ending November 30, 2013.  
***Two letters of interest have been received by Don McBride and Mary Vansandt.***

Motion to appoint Mr. Don McBride and Mrs. Mary Vansandt to the Historic District Commission by Councilman Collinsworth and seconded by Mayor Davidson.

Roll call vote:

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

Motion carried.

**Ethics Board:** One vacancy currently exists for a term of three years.  
Remaining term of David Holley ending August 31, 2016.  
***Three letters of interest have been received: Heather Bowers; Andrew Hamby and Derek Snyder***

Mayor Davidson stated concerns regarding Ms. Heather Bowers's letter of interest as she has filed for Council Candidacy.

City Attorney Hays stated if Ms. Bowers were appointed to the Ethics Board and there was a violation brought to the board regarding an opposing Councilman, it could cause a conflict.

Motion to appoint Mr. Andrew Hamby for the remaining three year term ending August 31, 2016 by Councilman Collinsworth and seconded by Councilman Workman

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

Motion carried.

**Parks Recreation and Golf Course Board:** One vacancy exists for a term of one year.  
Expired term of Barbara Lombardi ending August 30, 2013.

*Two letters of interest have been received by Doug Skaggs and Jonas Yost.*

Motion to appoint Doug Skaggs for a term of one year expiring August 30, 2014, by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**Senior Citizen Committee:** One vacancy exists for a term of three years.  
Expired term of Gib Garrow ending October 31, 2013.

No action or vote was taken.

**ADJOURN**

Mayor Davidson asked if there was any further business to come before Council, with no response he asked for a motion to adjourn the December 17, 2013, Regular Session City Council meeting.

Motion to adjourn by Councilman Collinsworth and seconded by Councilman Workman. The motion passed by consensus.

Mayor Davidson adjourned the regular session meeting at 8:15 p.m.

**APPROVED:**

**NEOSHO CITY COUNCIL**

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**Mayor**

**ATTEST:**

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**City Clerk**