

MINUTES
NEOSHO CITY COUNCIL
January 21, 2014 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Luke Yates gave the opening prayer and Mayor Davidson led the Pledge of Allegiance.

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

ROLL CALL

COUNCIL PRESENT:

Charles Collinsworth
Steve Hart
Tom Workman

Richard Davidson
David Ruth

CITY OFFICERS PRESENT:

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

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

APPROVAL OF AGENDA

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

CONSENT AGENDA:

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

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 7, 2014, Regular and Closed Sessions and January 10, 2014 Special Session were approved as presented.

VISITORS BUSINESS

Eric Norris – Chamber of Commerce

Mr. Norris stated since the passing of Gib Garrow the Chamber of Commerce is reevaluating its organization. He further relayed their goals including but not limited to, separation of duties between the Chamber of Commerce and NABIFI; further Neosho by promoting current citizens as well as bringing in new business; and setting a foundation and protocol to renew the relationship between the Chamber of Commerce and the City Council.

UNFINISHED BUSINESS

Bill No. 2014-596...Declaring certain personal property as surplus and setting forth the method for disposing of same...2nd and 3rd Reading.

Bill No. 2014-596 for Ordinance No. 02-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-596 on second and third readings by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

Bill No. 2014-597...Providing that Section 2.12 of the Code of Ethics Ordinances be amended...2nd and 3rd Reading.

Bill No. 2014-597 for Ordinance No. 03-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-597 on second and third readings by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

Bill No. 2014-598...Providing for the repeal of Ordinance Number 521-2012...2nd and 3rd Reading.

Bill No. 2014-598 for Ordinance No. 04-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-598 on second and third readings by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

BID

Police Department – Police Vehicle Bid

The following bid recommendation was presented for consideration.

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Police Chief McCracken reviewed the need to replace the damaged police vehicle as well as informing council the Police Department fleet is short two vehicles and recommended the State bid from Joe Machens Ford in the amount of \$26,840. He stated the City received an insurance settlement of \$17,515 resulting in a shortfall of \$9,325 which will be paid from the general fund.

Discussion followed.

Motion to approve bid to Joe Machens Ford in the amount of \$26,840 by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Public hearing regarding an application submitted by Workman Enterprises for a Certificate of Public Convenience and Necessity for Operation of a Taxicab Service

Mayor Davidson opened the floor for public comment.

Mrs. Peggy Farmer informed the council the reason for giving up the taxi business and stated appreciated to the Workman's for purchasing the business and has confidence they will do a good job.

Discussion held between City Attorney Hays regarding procedures and Mrs. Farmer's ability to drive part time for the Workman's.

There being no comments from the public, Mayor Davidson closed the public hearing.

Consider issuance of a Certificate of Public Convenience and Necessity for the Operation of a Taxicab Service to Workman Enterprises

Councilman Tom Workman removed himself from the bench.

Motion to transfer operation of the taxicab service from P&J's to Workman Enterprises by Councilman Hart and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

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Bill No. 2014-595...Finding and declaring that the number of Councilmembers elected at the general municipal election to be held on Tuesday, April 8, 2014 is one (1) for a regular term of three-years; canvassing the petitions filed by persons desiring to become candidates for Councilmembers; fixing the date of the municipal election to be held on Tuesday, the 8th day of April 2014...1st Reading.

Bill No. 2014-595 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-595 on first reading by Councilman Ruth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Bill No. 2014-595... Finding and declaring that the number of Councilmembers elected at the general municipal election to be held on Tuesday, April 8, 2014 is one (1) for a regular term of three-years; canvassing the petitions filed by persons desiring to become candidates for Councilmembers; fixing the date of the municipal election to be held on Tuesday, the 8th day of April 2014...2nd & 3rd Readings...under emergency measure.

Bill No. 2014-595 for Ordinance No. 01-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-595 on second and third readings by Councilman Ruth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Bill No. 2014-599...Declaring certain personal property as surplus and setting forth the method for disposing of same...1st Reading. (Police Department)

Bill No. 2014-599 was read by title only by Mr. Hays.

Police Chief McCracken stated the reason for surplus of property but clarified that the property taken into evidence will not but sold at auction but disposed of properly.

Motion to pass Bill No. 2014-599 on first reading by Councilman Collinsworth and seconded by Councilman Ruth

Roll call vote:

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

Motion carried.

Consider approval of City's Broker/TPA health insurance administrative services contract.

City Manager Royer presented agreement for health insurance administrative services for the upcoming year.

Motion to approve the agreement as presented 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
David Ruth – Yes

Motion carried.

Consider approval of Firehouse software maintenance contract agreement.

Fire Chief Eads reviewed the software update maintenance agreement.

Motion to approve agreement between the City of Neosho and ACS Government Systems for the firehouse software and authorize the Mayor to execute by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Consider Branco Enterprises Contract Change Order #2 for East Spring Street Improvements.

Mr. Dana Daniel stated this is a no cost change order to the City for the East Spring Street project.

Motion to authorize the Change Order #2 between the City of Neosho and Branco Enterprises and authorize the Mayor to execute by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

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Consider approval of Radio Tower Lease Agreement for Newton County Sheriff's Department.

City Manager Royer reviewed the agreement in the amount of \$2160 and stated it was for three years renewable on January 1st of every year.

Councilman Collinsworth recommended making a motion to present the agreement at no charge.

Mayor Davidson confirmed money received would be deposited into the general fund.

Mr. Richard Leavens from Newton County Sheriff's Department stated they had the lease fee budgeted.

Discussion followed.

Motion to approve agreement as presented and authorize Mayor to execute by Councilman Workman and seconded by Councilman Hart

Roll call vote:

Steve Hart – Yes

David Ruth – Yes

Tom Workman - Yes

Charles Collinsworth – No

Richard Davidson – Yes

Motion carried.

REPORT OF CITY OFFICERS

Police Department – 2013 Year End Report

Police Chief McCracken reviewed the yearly report emphasizing the majority of crimes in Neosho involve property.

Councilman Collinsworth stated the response time from last year is up 20%.

Mayor Davidson applauded the Chief and staff for running at 72% less than four years ago and directed City Clerk to place the report into record.

Chief McCracken gave the credit to his officers.

Finance Department – December Financials

Mrs. Pevahouse reviewed financials stating sales tax is down and gave the general fund balance.

Mayor Davidson stated appreciation to Mrs. Pevahouse and staff for their diligence.

Fire Chief Eads – Engine 9

Fire Chief Eads explained that Engine 9 is retired but would like to donate it to a neighboring fire station that has wrecked one of their engines.

City Attorney Hays stated this is something the Council can opt to do but he would recommend a five year agreement then Engine 9 returns to the City.

Absent objection from the City Council, Mayor Davidson directed City Attorney Hays to prepare the agreement and present to council at the next meeting.

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City Manager Royer – Hotel/Motel Funds

Mr. Royer stated he has reviewed the code but would like clarification from council regarding the spending of Hotel/Motel funds. He further stated there are times he receives requests for advertising to promote the City that would fall within the guidelines of the Hotel/Motel fund and didn't know if he would need to bring every expenditure to council or if he could spend according to the City's purchasing policy.

Without objection from the Council, Mayor Davidson stated the budget is approved and Mr. Royer can spend accordingly.

Mayor Richard Davidson – Missouri Sugars Property

Due to the ad in the paper wherein the City advertised property for sale, Mayor Davidson stated questions arose regarding a prior sale of city property and clarified with Mr. Royer that the City sold property to Missouri Sugars was in the amount of \$10,000 per acre.

APPOINTMENTS & VACANCIES – Mayor Davidson announced the Council will review the vacancies at a later meeting then directed City Clerk to obtain clarification of Mr. Franks' position with the Chamber of Commerce.

Airport Industrial Development Board: Two vacancies exist for a three year term.
One letter of interest has been received by Mike Franks (Replacing Gib Garrow)

Board of Adjustments (Zoning): Three vacancies exists for a five year term.

Economic Development Sales Tax Committee: Three vacancies exist.
One letter of interest has been received to replace Jason Stipp as Neosho Area Chamber of Commerce President by Mike Franks.
One letter of resignation has been received from Phillip Slinkard.

Enhanced Enterprise Board: Two vacancies exists for a term of five years
One letter of interest has been received by Mike Franks. (Replacing Gib Garrow)

Senior Citizen Committee: One vacancy exists for a term of three years.

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 January 21, 2014, Regular Session City Council meeting.

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

Mayor Davidson adjourned the closed meeting at 7:50 p.m.

APPROVED: **NEOSHO CITY COUNCIL**

Mayor

ATTEST:

City Clerk