

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**February 18, 2014 - 7:00 p.m.**  
**City Hall – Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Troy Royer 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 Collinsworth and seconded by Councilman Workman. The motion passed unanimously.

**CONSENT AGENDA:**

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

Roll call vote:

Charles Collinsworth – Yes

Richard Davidson – Yes

Steve Hart – Yes

David Ruth – Yes

Tom Workman - Yes.

Motion carried.

**MINUTES:**

The minutes of February 4, 2014, Regular and Closed Sessions were approved as presented.

**VISITORS BUSINESS**

**Mr. Gary Kenny – Laura Lane**

Mayor Davidson granted Mr. Kenny's request to speak during New Business Item #6 Bill No 2014-607 discussions.

**UNFINISHED BUSINESS**

**Bill No. 2014-600...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. (Police Department)**

Bill No. 2014-600 for Ordinance No. 06-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-600 on second and third readings by Councilman Workman and seconded by Councilman Collinworth

Roll call vote:

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

Motion carried.

**Bill No. 2014-601...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. (Fire Department)**

Bill No. 2014-601 for Ordinance No. 07-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-601 on second and third readings by Councilman Workman and seconded by Councilman Collinworth

Roll call vote:

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

Motion carried.

**Bill No. 2014-602...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. (IT Dept)**

Bill No. 2014-602 for Ordinance No. 08-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-602 on second and third readings by Councilman Collinworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

**BID**

There was none.

**CORRESPONDENCE**

There was none.

**NEW BUSINESS**

**Bill No. 2014-603...Declaring certain personal property as surplus and setting forth the method for disposing of same...1<sup>st</sup> Reading. (Police Department)**

Bill No. 2014-603 was read by title only by Mr. Hays.

Police Chief McCracken stated this is a short list of items for the City auction.

Motion to pass Bill No. 2014-603 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

**Bill No. 2014-604...Providing that the revenues and expenditures budget be amended for the Fiscal year beginning October 1, 2013 and ending September 30, 2014...1<sup>st</sup> Reading. (Human Resources)**

Bill No. 2014-604 was read by title only by Mr. Hays.

Human Resource Director Baker reviewed the budget adjustment reflecting the budget increase for the Human Resources Assistance.

Motion to pass Bill No. 2014-604 on first reading by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**Bill No. 2014-605...Providing that the revenues and expenditures budget be amended for the Fiscal year beginning October 1, 2012 and ending September 30, 2013...1<sup>st</sup> Reading.**

Bill No. 2014-605 was read by title only by Mr. Hays.

Finance Director Pevahouse reviewed the FY2013 budget adjustment finalizing the golf course budget for auditing purposes to close out the year.

Motion to pass Bill No. 2014-605 on first reading 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.

**Bill No. 2014-606...Declaring certain personal property as surplus and setting forth the method for disposing of same...1<sup>st</sup> Reading. (Parks Department)**

Bill No. 2014-606 was read by title only by Mr. Hays.

Parks Director, Amy Moritz stated this is a list of surplus property, most of which is from when the recreation center closed.

Motion to pass Bill No. 2014-606 on first reading by Councilman Collinsworth 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. 2014-607...Declaring certain personal property as surplus and setting forth the method for disposing of same...1<sup>st</sup> Reading. (Fire Department)**

Bill No. 2014-607 was read by title only by Mr. Hays.

Fire Chief Eads stated these are items for the surplus auction.

Motion to pass Bill No. 2014-607 on first reading 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.

**Bill No. 2014-608...Annexing the below described property located Tract 8: Part of the Northwest Quarter Northwest Quarter of Section 23, Township 25, Range 32, Newton County, Missouri. All of which is contiguous with the City of Neosho, as petitioned by Boatright Properties Inc, under Zoning District C-3, Commercial Business District Classification...1<sup>st</sup> Reading.**

Bill No. 2014-608 was read by title only by Mr. Hays.

Mayor Davidson turned the floor over to Mr. Kenny from visitor business. Mr. Kenny voiced concerns regarding Laura Lane being annexed as he does not believe it is in city limits based on county records.

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Development Services Director Daniel stated the City map shows it is in city limits and Planning and Zoning Board recommend this item be approved.

Mayor Davidson confirmed with City Attorney Hays if staff could review this, bring information back to council and be addressed for 2<sup>nd</sup> and 3<sup>rd</sup> readings.

Councilman Ruth stated Keane Lane and Laura Lane have never been annexed.

City Attorney Hays stated if after staff confirms Laura Lane is not annexed, and they chose to annex, it would not need to go back to Planning and Zoning for approval.

Discussion continued.

Motion to table action on Bill No. 2014-608 until further information can be provided 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.

**Consider approval of Missouri Highway Safety grant application.**

Police Chief McCracken stated this is to request approval of 2015 grant applications for driving while intoxicated and hazardous moving violations.

Motion to approve 2015 grant applications and authorize City Council Members to execute by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**Consider renewal of the InterAct Maintenance and Support Agreement.**

Police Chief McCracken stated this is for the maintenance agreement renewal for our mobile data software.

Motion to approve invoice and agreement and authorize payment in the amount of \$7,827.77 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.

**Consider approval of the Little League Agreement.**

Parks Director Moritz reviewed the terms of the Little League Agreement including but not limited to the following:

- Three (3) year agreement with an annual review;
- Little League will have sole responsibility for maintenance, repairs, damages and all liability claims associated with the scoreboard;
- This agreement will be terminated each year on July 30<sup>th</sup> with the exception of the first weekend in July each year for the annual Micronesian softball tournament;

Mrs. Moritz further clarified that the Parks employees will be cleaning the bathrooms every Monday and Friday and that she provides two weeks of supplies, including toilet paper.

Mayor Davidson verified with Public Works Director Hightower that the bathrooms would be hooked up to sewer before the ball program started.

Councilman Collinsworth stated he was pleased with the Little League program.

Discussion followed.

Motion to approve Little League Agreement and authorize Mayor to execute 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.

**Consider approval of the support letter for the Free Trade Zone.**

City Manager Royer stated he received this letter of support request from Kathy Gambill for the Foreign Trade Zone due to the city being a property owner.

Mayor Davidson stated the City supports this project, however was never approached for permission to include City property in the Foreign Trade Zone but informed after the fact.

Motion to approve support letter for the Foreign Trade Zone and authorize Mayor to execute by Councilman Ruth 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.

**Discussion/direction regarding The Civic rental fees.**

Events Coordinator, Wes Franklin stated that the Chamber of Commerce is a partner with the city in helping promote our community. He further stated that the chamber holds various events at the Civic Center throughout the year, both public and private, such as meetings, Taste of Home Cooking School and the Dickens Faire. Mr. Franklin stated as a gesture of cooperation staff proposes waiving hose rental fees. He informed council that in the resolution adopted in

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2008 fees are waived for Crowder College and the Neosho School District which has not been reflected in the currently approved resolution adopted in 2010. Mr. Franklin explained that in practice city staff has been waiving fees for Crowder College, Neosho School District, federal, state, county and other government functions such as popular elections.

Discussion followed.

It was the consensus of the council for Mr. Franklin to bring back a revised resolution reflecting fees waived for Chamber of Commerce, certain schools and governing bodies.

### **Discussion regarding expenditure of Hotel/Motel funds.**

Mr. Franklin stated the Chamber of Commerce has asked for financial assistance to help further the goal of boosting tourism and since the Chamber and the City share the same goal insofar as promoting our community, staff recommends allocating \$10,000 from the City hotel/motel tax fund to the Chamber subject to Council approval both now and annually henceforth. He further suggested allocating \$5,000 upon executing an agreement and \$5,000 once the City Manager has reviewed financials and agreed to release.

Mayor Davidson asked how the \$10,000 was derived.

City Manager Royer stated he reviewed an initial draft Chamber of Commerce budget once they were split from NABIFI and it reflected a \$4,000 shortfall.

Discussion followed.

Councilman Ruth stated he didn't understand why Mr. Royer would place requirements on how the money is spent up front when the City gave money to the Holiday Classic with no restrictions.

Mr. Royer stated the City did receive financials for the Holiday Classic.

Councilman Workman clarified that the budget year for the Chamber was January 1 to December 31.

Councilman Ruth stated if the Chamber can find good use for the Hotel/Motel funds than he should come back and make a request for more money.

Mayor Davidson stated the ending balance of the financials presented for the Hotel/Motel fund is \$366,630.83. He further recommended that the Chamber bring receipts then the City will cut a check for expenditures up to the approved amount.

It was the consensus of the Council to direct City Attorney Hays to draft an agreement with assistance of Mr. Franklin and bring back to Council for approval.

### **REPORT OF CITY OFFICERS**

#### **City Manager Royer – School Resource Officer**

Mr. Royer stated that he, Police Chief McCracken, and Lieutenant Kennedy agreed to terminate the SRO contract due to lack of communication and cooperation. He confirmed that the SRO will continue to provide prevention meetings, build relations and assemblies for the remainder of this school year. The City Manager stated staff is willing to reevaluate the agreement and situation next year.

#### **City Manager Royer – Neosho Boulevard**

Mr. Royer explained the speed study was completed by MODOT and the recommendation made to reduce the speed on Business 60 for consistency was declined so the Traffic Commission has decided to table the issue at this time.

**Mrs. Daphne Pevahouse, Finance Director – Monthly Financials**

Mrs. Pevahouse reviewed financials and stated the field work has been completed for the yearly audit and it should be presented at the March 18<sup>th</sup> city council meeting.

**Councilman Steve Hart – Transportation Development District Appeal**

Councilman Hart stated the TDD appeal process has taken two years and he would like a report of expenditures and how we paid for the fees.

City Manager Royer stated he would present a report at the next council meeting.

Mayor Davidson stated the discussions in closed sessions should be able to be released into open record.

**Competition**

Mayor Davidson congratulated City Manager Royer for his winning the tire changing challenge with two public works employees.

**Public Works Department – Limestone Chips**

Mayor Davidson stated concerns regarding the cinders piling up in peoples yards from the piling of snow.

Public Works Director, Mike Hightower explained the City no longer uses coal cinders that they now use limestone chips for better traction. Mr. Hightower also explained that the limestone is not harmful to yards. He further stated the street sweeper is out to clean the streets as it cannot be used when the weather is below freezing.

**APPOINTMENTS & VACANCIES**

**Councilman Ruth stated concerns why Mr. Franks was being overlooked for the appointment to the Airport Board.**

**Mayor Davidson stated the position is for the Director of Economic Development for the City of Neosho which there is no such position.**

**Airport Industrial Development Board:** Two vacancies exist for a three year term. Expired term of Mark Knight ending on September 30, 2012. (Affiliated Industrial Commercial Aviation Business) Remaining term of Gib Garrow due to expire September 30, 2016. *One letter of interest has been received by Mike Franks (Replacing Gib Garrow)*

**Board of Adjustments (Zoning):** No letters of interest received.

**Economic Development Sales Tax Committee:** Three vacancies exist. One for a term of two years; one for a term of three years; one ex-officio; Expired term Stuart Puckett ending on September 30, 2013; Resignation of Phillip Slinkard ending on September 30, 2014; Ex-Officio Non-Voting Member-Chamber of Commerce President; *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 Expired term of Ray Stipp ending September 30, 2013; Remaining term of Gib Garrow due to expire September 30, 2016. *One letter of interest has been received by Mike Franks. (Replacing Gib Garrow)*

Motion to appoint Mr. Mike Franks to the Enhanced Enterprise Board for the term due to expire September 30, 2016 by Councilman Workman and seconded by Councilman Councilman

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Roll call vote:

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

Motion carried.

**Neosho Housing Authority (Oakes):** *To be addressed March 18, 2014*

One vacancy will exist for a term of four years. Expiring term of Norma L. Powell ending March 31, 2014.

**Senior Citizen Committee:** One vacancy exists for a term of three years. *One letter of interest has been received by John Rogers.*

Motion to appoint Mr. John Rogers to the Senior Citizen Committee by Councilman Workman and seconded by Councilman Hart

Roll call vote:

Charles Collinsworth – Yes  
Richard Davidson – Yes  
Steve Hart – Yes  
David Ruth – Yes  
Tom Workman - 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 the February 18, 2014, Regular Session City Council meeting.

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

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

**APPROVED:**

**NEOSHO CITY COUNCIL**

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Mayor

**ATTEST:**

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City Clerk