

**MINUTES**  
**NEOSHO CITY COUNCIL**  
**September 2, 2014 - 7:00 p.m.**  
**City Hall – Council Chambers**  
**203 E. Main St., Neosho, MO**

**OPENING PRAYER & PLEDGE OF ALLEGIANCE**

Danny Boggs 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

CITY STAFF PRESENT:

|                                                   |                                               |
|---------------------------------------------------|-----------------------------------------------|
| David McCracken, Police Chief                     | Mike Eads, Fire Chief                         |
| David Kennedy, Police Lieutenant                  | Daphne Pevahouse, Finance Director            |
| Ryan Long, Public Works Director                  | Duane Lynch, Utilities Director               |
| Pam Baker, Human Resources Director               | Dana Daniel, Director of Economic Development |
| Amy Moritz, Parks Director                        | Maron Towse, Golf Course Manager              |
| Wes Franklin, Public Relations/Events Coordinator |                                               |

**AMENDED AGENDA**

Mayor Davidson reported the agenda will be amended as requested by City Clerk to remove the August 19, 2014, regular session minutes for approval.

**APPROVAL OF AGENDA**

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

**CONSENT AGENDA:**

Motion to approve the consent agenda items 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 August 19, 2014, Closed and Special Sessions along with August 26, 2014, Special Session was approved as presented.

**VISITORS BUSINESS**

**Mr. James Ely – Skate Park**

Mr. Ely stated concerns regarding the \$250.00 budgeted for the skate park last year with the same amount being budgeted this year. He stated the paint to maintain the skate park ramp is \$50.00 per gallon. He reviewed events taken place at the skate park. He reminded council he attended a meeting last year wherein he asked for a bathroom, drinking fountain and canopy be provided which have not been done. He added there is a canopy by the museum where the kids would go for shade and now there is a sign posted to keep skateboarders out.

It was confirmed from Council and staff that the pavilion was owned by Newton County and squelched the rumor Mr. Ely heard that the skate park was being closed down.

Mr. Ely continued there is nowhere for these kids to go and they take pride and respect the equipment at the skate park. He further stated he voted for each council member and shamed them for spending thousands on attorney fees and encouraged them to get along so that money could be spent on the youth of our town.

(Mayor Davidson allowed 16 minutes for commentary.)

**Mr. Danny Boggs – Little League Baseball/Baseball Fields**

Mr. Boggs stated he was speaking on behalf of the Little League and wanted to thank council and city staff for the exclusive use of the fields and the hard work given to Morse Park facilities. He informed council this is the 3<sup>rd</sup> year and now have 750 kids involved. He explained the amount of available fields is not sufficient for practicing during the timeframe games are going on, it eliminates places for the traveling teams to practice and eliminates the ability for adult softball leagues. Mr. Boggs stated the City is moving in the right direction and would like to see more fields built.

**UNFINISHED BUSINESS**

There was none.

**BID**

There were none.

**CORRESPONDENCE**

There was none.

**NEW BUSINESS**

**Public Hearing regarding adoption of the 2014-2015 Fiscal Year Budget.**

Mayor Davidson opened the floor for public comment. There being no one sign up or comments from the public, Mayor Davidson closed the public hearing.

**Bill No. 2014-633...Adopting the 2014-2015 Fiscal Year Budget...1<sup>st</sup> Reading.**

Bill No. 2014-633 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-633 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Mayor Davidson stated one week ago Council directed City Manager to format the draft budget into the first reading along with your budget letter.

City Manager Royer reviewed the budget including, but not limited to, the following:

1. 6% sales tax decrease with anticipation of the legislature with tax exemptions we are still waiting to hear on.
2. From last year's budget revenue is decreased \$1.3 Million from overall revenue;
3. From last year's budget expenditures are decreased \$773,165;
4. Overall end balance decrease in the amount of \$231,000 from last year;

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5. 2% COLA increase to all employees; Mr. Royer stated the City's best asset is the employees. He explained the City should maintain a fair pay for staff in order to have qualified personnel who will in turn provide better customer service.
6. Added one new full time employee to the Police Department.
7. Added one Police Department patrol car.
8. Transfers to the Golf Course from the Economic Development and Park Sales Tax Funds have decreased.

Mr. Royer stated appreciation to Directors and staff for controlling their budget expenditures.

9. Low interest rates for refinancing several debt payments and not extending the term of the loan, saved the City over \$1 million dollars for the life of the debts.
10. Budgeted for the second year of the seven-year street plan.
11. City's overall financial position continues to improve. The reserve fund far exceeds 110 days.

After Councilman Ruth's inquiry regarding the Parks and Drainage Tax revenues and how it was split between the Parks Fund and the Drainage Fund, City Manager Royer stated it was divided between departments.

City Manager Royer further stated he would check on percentage split and get back to him.

Mayor Davidson stated it appeared to be a 60/40 split in total revenue.

Councilman Workman stated approximately 60% parks and 40% for drainage.

Councilman Ruth stated since this was a topic under visitor's business, he was inquiring as to how much the tax brought in estimating it to be \$717,500.

Mayor Davidson stated the budget shows the drainage tax fund will break even for FY15 and the park tax will be decreased from \$394,000 to \$203,000 reserves.

Councilman Collinsworth inquired as to amending the budget before the 2<sup>nd</sup> and 3<sup>rd</sup> readings regarding the parks funds.

Mayor Davidson stated that any changes could be brought to council via budget amendment after October 1<sup>st</sup>. He then reminded council that it is still unknown as to the legislative overrides that may free up funds.

City Manager Royer interjected when council was addressed last year regarding the skate park, staff created a special fund for donations to be received. He stated that to date there has been \$104.00 received. Mr. Royer explained that Mike Hightower and Amy Moritz have looked at the expense of running water and sewer to the skate park location as well as providing a pavilion and it was a very significant expense.

Discussion was held regarding the age of the skate park and the possibility of moving it.

Mr. Royer stated staff did discuss it but the concrete itself was astronomical along with having a professional to move the equipment due to the engineering so the angles were set correctly.

Roll call vote:

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

Motion carried.

**Consider approval of the RFB Construction Co., Inc Agreement for the Hatchery Trail Project.**

Mr. Dana Daniel, Development Services stated this is regarding the trail project which starts at the Fish Hatchery and extends to the old Benton School site as presented by Allgeier, Martin and Associates.

Mayor Davidson confirmed with City Attorney Hays that he has reviewed and approved the agreement.

Motion to approve the agreement between the City of Neosho and the RFB Construction Co, Inc as presented on the Hatchery Trail Project and authorize the Mayor to execute 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 two Traffic and Highway Safety Division agreements for DWI Enforcement and Hazardous Moving Violation (HMV) Projects.**

Police Chief McCracken stated the two grants are applied for annually which supplements the Police Department enforcement program. He further stated the two grants are for driving while intoxicated enforcement in the amount of \$6,370.00 and hazardous moving violations in the amount of \$2,485.00.

Motion to approve the two contracts as presented between the City of Neosho and Traffic and Highway Safety Division of MoDOT and authorize the Mayor to execute by Councilman Workman and seconded by Councilman Collinsworth

Roll call vote:

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

Motion carried.

**Consider approval of the Party Station Agreement for Fall Festival.**

Mr. Wes Franklin, Public Relations/Events Coordinator presented the agreement wherein the bids were approved at the August 19<sup>th</sup> council meeting for six inflatable rides in the amount of \$6,500.00 for the two-day Neosho Fall Festival event.

Motion to approve the agreement between the City of Neosho and Party Station as presented and authorize Mayor to execute 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.

**REPORT OF CITY OFFICERS**

**City Manager Troy Royer – McGinty Building**

Mr. Royer reported there has been work started on the McGinty Building.

**City Manager Troy Royer – Empire Electric/Trees**

Mr. Royer stated Empire Electric has contacted the City to remove 25 trees on the Neosho Golf Course along Waldo Hatler Drive. He commented the trees add to the aesthetics of the course and encouraged comments.

Councilman Collinsworth stated Empire Electric has chopped them during the years of trimming them away from the utility lines.

Mayor Davidson agreed the trees have been there a long time but they are directly under the utility lines.

Councilman Ruth stated uncertainty if the City would have a say as Empire has an easement across the property.

City Attorney Hays stated there may be some value in the trees.

**APPOINTMENTS & VACANCIES**

Mayor Davidson announced the below vacancies.

**Airport Industrial Development Board:**

Two three-year terms due to expire September 30, 2014

- (1) affiliated with industrial commercial aviation business
- (2) Pilot at large

**Board of Adjustments (Zoning):** Three vacancies currently exist for a five-year term; one beginning November 1, 2011, one beginning November 1, 2013, and one term that expires October 31, 2014. *(There is no quorum for this Board to conduct meetings)*

**Economic Development Sales Tax Committee:**

Two Neosho Resident unfilled positions for a three-year term

**Enhanced Enterprise Zone Board:**

One vacancy for a five-year term

**Ethics Board:**

One vacancy for an unexpired two-year term

**Parks Recreation and Golf Course Board:**

Three three-year terms

1. Two terms for a Neosho Resident
2. One for a Newton County Resident.

**Planning & Zoning Commission:**

Two three-year terms - *There has been one letter of interest received from Mr. Jordan Paul*

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Motion to appoint Mr. Jordan Paul to the Planning and Zoning Board for a term of three years 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.

**CLOSED MEETING:**

Motion 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 by Mayor Davidson 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.

Mayor Davidson closed the meeting at 7:54 p.m.

The meeting reconvened in open session at 8:28 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 the September 2, 2014, Regular Session City Council meeting.

Motion to adjourn by Councilman Collinsworth and seconded by Mayor Davidson. Unanimous vote to adjourn.

Mayor Davidson adjourned the closed meeting at 8:29 p.m.

**APPROVED:** **NEOSHO CITY COUNCIL**

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Mayor

**ATTEST:**

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City Clerk