

MINUTES
NEOSHO CITY COUNCIL
September 16, 2014 - 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 7:00 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 stated number six (6) under new business shall be stricken from the agenda.

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 as listed by Councilman Workman and seconded by Councilman Collinsworth.

Councilman Hart confirmed with City Clerk Houdyshell that the consensus comment was revised in the closed session minutes of September 2, 2014.

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 and September 2, 2014, Regular Session and September 2, 2014, Closed Session was approved as presented.

VISITORS BUSINESS

There was none.

UNFINISHED BUSINESS

Bill No. 2014-633...Adopting the 2014-2015 Fiscal Year Budget...2nd and 3rd Reading.

Bill No. 2014-633 for Ordinance No. 36-2014 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-633 on second and third readings by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

BID

There was none.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2014-632... Providing that the Revenues and Expenditures Budget be amended for the Fiscal Year Beginning October 1, 2013, and Ending September 30, 2014...1st Reading. (Public Works)

Bill No. 2014-632 was read by title only by Mr. Hays.

Motion to pass Bill No. 2014-632 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Ryan Long, Public Works Director stated these are changes in the line items with no change to the fund balance.

Roll call vote:

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

Motion carried.

Bill No. 2014-634... Providing that the Revenues and Expenditures Budget be amended for the Fiscal Year Beginning October 1, 2013, and Ending September 30, 2014...1st Reading. Recycling/Senior Center)

Bill No. 2014-634 was read by title only by Mr. Hays.

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Motion to pass Bill No. 2014-634 on first reading by Councilman Workman and seconded by Councilman Collinsworth

Dana Daniel, Economic Development Director stated this is due to specific line items exceeded their FY14 budgeted amounts. He explained in the Recycling Department the transfer from facility maintenance would offset the deficits for general supplies and heating fuels which were higher than expected and the transfer from the activity fund would offset the deficit for professional services and facility maintenance in the Senior Center FY14 budget.

Roll call vote:

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

Motion carried.

Consider approval of the American Media Investments Inc. annual agreement.

Fire Chief Mike Eads explained this was to renew the agreement for the North Repeater Radio Tower and noted there has been no change in the terms for ten years.

Motion to approve the contract between the City of Neosho and American Media Investments Inc. as presented and authorize Mayor to execute by Councilman Workman and seconded by Mayor Davidson

Roll call vote:

Tom Workman – Yes
Charles Collinsworth – Abstain due to radio announcer for America Media Investments Inc.
Richard Davidson - Yes
Steve Hart – Yes
David Ruth – Yes

Motion carried.

Consider certification of the City's Employer Delegate to attend the annual LAGARS meeting.

Human Resource Director Pam Baker reviewed the annual Lagars meeting agenda and expenses.

Motion to appoint Pam Baker as annual representative to attend the 2014 Lagars meeting as the City's Employer Delegate by Councilman Collinsworth and seconded by Councilman Ruth

Roll call vote:

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

Motion carried.

Consider approval for Region M Grant Application.

Director Daniel stated this grant is needed to assist the Recycle Center.

Motion to approve the Region M Grant Application and authorize Mayor to execute 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.

**Consider approval of Ozark Business System’s annual maintenance agreement.
(City Hall Copier/Scanner/Fax)**

Mr. Wes Franklin reviewed the fees and stated this is to renew the copier maintenance agreement noting nothing has changed in the agreement terms in two (2) years.

Motion to approve the contract with Ozark Business Systems for the annual maintenance for the City Hall copier and authorize Mayor to execute 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.

**Consider approval of Ozark Business System’s annual maintenance agreement.
(City Hall Finance Department Copier)**

Mayor Davidson stated this agreement approval is for also approving copier maintenance.

Councilman Collinsworth raised questions as to the price increase to which Assistant Finance Director Cari Hancock stated she would need to get back with him.

Mayor Davidson suggested the difference in the age of the machines.

Motion to approve the agreement between Ozark Business Systems and the City of Neosho for the city Hall Finance black and white copier 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.

Consider approval of the MoDOT Cooperative Agreement.

City Attorney Hays stated corrections have been made to the agreement as discussed during the last council meeting. He further stated the need for City Manager Royer to obtain final drawing plans of the project.

Councilman Collinsworth confirmed this will allow them to move forward with the project with no constraints by the City.

Discussion continued.

Motion to approve contract between the City of Neosho and Missouri Department of Transportation TDD Cooperative Agreement and authorize Mayor to execute by Councilman Ruth 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 providing direction to City Clerk's office regarding unpaid sunshine request fee.

City Clerk Houdyshell stated this was a request for consideration of waiving Councilman Hart's sunshine request fee for services rendered.

Mayor Davidson confirmed with City Clerk that the original request made by Councilman Hart was answered then Councilman Hart submitted another request which did not change the original answer.

Councilman Hart stated due to not being provided the information when asked, he was forced to request the information via sunshine request and should not need to pay for the information.

Discussion held.

Motion to direct City Clerk to collect Mr. Hart's invoice amount for sunshine request made by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

REPORT OF CITY OFFICERS

Mrs. Cari Hancock, Assistant Finance Director – Monthly Financials

Mrs. Hancock reviewed the financial statement provided.

Mayor Richard Davidson – Legislature Decision

Mayor Davidson informed the public the Legislature is not going to veto the bill so there will be no need to cut more money from the city budget.

APPOINTMENTS & VACANCIES

Airport Industrial Development Board: Two three-year terms due to expire September 30, 2014, for Mr. Kyle Franklin (Affiliated with industrial commercial aviation business) and Mr. Bill Sims (Pilot at large). One letter of interest for re-appointment has been received by Mr. Bill Sims, pilot at large.

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Motion to re-appoint Mr. Bill Sims to the Airport Board for a term of three years by Councilman Workman and seconded by Councilman Hart

Roll call vote:

Richard Davidson – Yes
Steve Hart – Yes
David Ruth – Yes
Tom Workman – Yes
Charles Collinsworth - 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 and Section 610.021(3) RSMo,...Hiring, firing, disciplining or promoting an employee of a public governmental body by Mayor Davidson 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.

Mayor Davidson closed the meeting at 6:57 p.m.

The meeting reconvened in open session at 8:06 p.m. and Mayor Davidson announced the council conferred with the city attorney and two (2) votes 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 16, 2014, Regular Session City Council meeting.

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

Mayor Davidson adjourned the closed meeting at 8:08 p.m.

APPROVED:

NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk