

MINUTES
NEOSHO CITY COUNCIL
January 20, 2015 - 7:00 p.m.
City Hall – Council Chambers
203 E. Main St., Neosho, MO

OPENING PRAYER & PLEDGE OF ALLEGIANCE

Charles Collinsworth 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

ABSENT:

David Ruth

CITY STAFF PRESENT:

David Kennedy, Police Chief	Sergeants Humphries and Himmelsbach
Daphne Pevahouse, Finance Director	Mike Eads, Fire Chief
Pam Baker, Human Resources Director	Duane Lynch, Utilities Director
Amy Moritz, Parks Director	Dana Daniel, Director of Economic Development
Wes Franklin, Public Relations/Events Coordinator	
John Harrington, Code Enforcer/Safety Officer	

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 Hart and seconded by Councilman Workman.

Roll call vote:

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

Motion carried.

MINUTES:

The minutes of January 6, 2015, Regular Session was approved as presented.

VISITORS BUSINESS

There was none.

PROCLAMATION:

Mayor Davidson stated that the following proclamation was for the employee of the quarter and turned the floor over to City Manager Royer.

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City Manager read the following in its entirety:

Team Attitude: Tosha has created an environment where she and her staff actively work together, assist customers, maintain the facility, and provide education on recycling. She is typically the first one to greet customers and has created an environment that our patrons appreciate.

Courtesy & Respect for Others: Whether it be a customer from the community, a representative from one of the Cities we work with, or a staff member; Tosha is always representing the City of Neosho in the best possible manner.

Professional Manner & Positive Role Model: Her conduct, language, kindness, and integrity are evident each day. Dealing with the public can be demanding at times and Tosha maintains a professional, yet friendly, presence towards everyone.

Works Well With Others & Takes Pride in Job Performance: At the end of each day the Recycling Center is cleaned up, swept, and prepared for the next day. Her attention to efficiency, production, housekeeping, and to the staff is reflective of her dedication.

Friendliness, Thoughtfulness & Dependability: She has the ability to share a moment with those that visit the Recycling Center, and yet is able to quickly move to the next customer to keep things going. Her demeanor reflects appreciation and respect for each customer. There is no doubt that Tosha's leadership is the reason for our many repeat customers throughout the month.

Mayor Davidson presented the proclamation to Mrs. Tosha Younger.

UNFINISHED BUSINESS

Bill No. 2015-649...Providing for the amendment of Code Chapter 430.180, Stormwater Runoff Management, Article V, of the city Code or Ordinances...2nd and 3rd Reading.

Bill No. 2015-649 for Ordinance No. 02-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-649 on second and third readings 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.

Bill No. 2015-650...Providing for the Amendment of Code Chapter 430.190 and 430.200, Stormwater Runoff Management, Article VI, of the City Code of Ordinances...2nd and 3rd Reading.

Bill No. 2015-650 for Ordinance No. 03-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-650 on second and third readings by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

Bill No. 2015-651...Establishing procedures to report personal financial disclosure statements and conflicts of interest for certain municipal officials...2nd and 3rd Reading.

Bill No. 2015-651 for Ordinance No. 04-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-651 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

Administration – Airport Fencing and Agreement

Mr. Dana Daniel, Economic Development Director reviewed the bids retained for fencing around the airport fuel farm and recommended Stafford Fencing in the amount of \$5,818.00. He stated this would assist with security, protection and unauthorized access.

The following bids were received:

Anchor Fence Corp	\$7,099.92
Southwest Fence	\$10,990.00
Stafford Fencing	\$5,818.00

Councilman Collinsworth confirmed with Mr. Daniel there is no grant available to assist with this expense.

Motion to accept bid from Stafford Fencing in the amount of \$5,818.00 and include approval of agreement with the City of Neosho and authorize Mayor to execute by Councilman Hart and seconded by Councilman Workman

Roll call vote:

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

Motion carried.

CORRESPONDENCE

There was none.

NEW BUSINESS

Bill No. 2015-652...Annexing the below described property located a part of the Northeast Quarter of the Southwest Quarter of Section 26, Township 25 North, Range 32 West, Newton County, Missouri, all of which is contiguous with the City of Neosho, as petitioned by the City of Neosho, under Zoning District R-1, First Dwelling House District Classification...1st Reading

Bill No. 2015-652 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-652 on first reading by Councilman Workman and seconded by Councilman Collinsworth

Mr. Dana Daniel informed council the Planning & Zoning Commission along with staff, recommends council accept the annexation as requested from Glen and Sherry Werneke along Simplicity Way with an R-1 First Class Dwelling House Classification.

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Roll call vote:

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

Motion carried.

Bill No. 2015-653...Closing a portion of Park Street adjacent to the Southern Side of the Neosho Fish Hatchery and Identified as an approximate four hundred foot section of road having a western most boundary located at the Kansas City Southern Railroad Crossing and an eastern most boundary located at the Hearrell Spring Bridge Crossing...1st Reading.

Bill No. 2015-653 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-653 on first reading by Councilman Collinsworth and seconded by Councilman Workman

Mr. Daniel stated this item is an extension from the prior council meeting wherein council approved the closure of a portion of Park Street subject to this ordinance.

Councilman Hart confirmed with Mr. Daniel there are no homeowners affected by this request.

Roll call vote:

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

Motion carried.

Bill No. 2015-654...Providing that the revenues and expenditures budget be amended for the Fiscal Year beginning October 1, 2014, and ending September 30, 2015...1st Reading.

Bill No. 2015-654 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-654 on first reading by Councilman Workman and seconded by Councilman Hart

Mrs. Daphne Pevahouse, Finance Director informed council the budget adjustment is due to the refinancing of the 2007 and 2010 debt service and the additional expense for roof repair to Fire Station 2.

Discussion followed.

Roll call vote:

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

Motion carried.

Bill No. 2015-655...Authorizing and providing a contract between the City of Neosho, Missouri and The Empire District Electric Company...1st Reading.

Bill No. 2015-655 was read by title only by Mr. Hays.

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Motion to pass Bill No. 2015-655 on first reading by Councilman Hart and seconded by Councilman Workman

City Manager Troy Royer stated this is an agreement for a period ten years and reflects an investment charge increase from \$222,275.55 to \$538,514.11 and a facility usage charge increase from \$20,004.80 to \$48,466.27. He introduced Rick Hendricks from Empire Electric if there were questions.

Mayor Davidson clarified the increase was due to ten years worth of revisions made in the electrical services. He stated Empire Electric will now be paid for the past services rendered.

Discussion followed.

Roll call vote:

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

Motion carried.

Bill No. 2015-656...Granting Empire District Electric Company the right to use the streets, alleys and public grounds for the purpose of erecting and maintaining an electric distribution system...1st Reading.

Bill No. 2015-656 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-656 on first reading by Councilman Workman and seconded by Councilman Collinworth

City Manager Royer stated this is a renewal for a period of 20 years for the franchise fees with Empire Electric.

After Councilman Collinworth questioned the 10/20 year difference, Mr. Hendricks clarified the agreement is for two years to be automatically renewed for a period not to exceed 20 years.

Discussion followed.

Roll call vote:

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

Bill No. 2015-657...Finding and declaring that the number of Councilmembers elected at the general municipal election to be held on Tuesday, April 7, 2015, is two (2) 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 7th day of April 2015...1st Reading.

Bill No. 2015-657 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-657 on first reading by Councilman Workman and seconded by Councilman Collinworth

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Roll call vote:

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

Motion carried.

Bill No. 2015-657... Finding and declaring that the number of Councilmembers elected at the general municipal election to be held on Tuesday, April 7, 2015, is two (2) 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 7th day of April 2015...2nd & 3rd Readings...under emergency measure.

Bill No. 2015-657 for Ordinance No. 05-2015 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-657 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.

Bill No. 2015-658...Declaring certain real property as surplus and setting forth the method for disposal...1st Reading.

Bill No. 2015-658 was read by title only by Mr. Hays.

Motion to pass Bill No. 2015-658 on first reading by Councilman Workman and seconded by Councilman Hart

Mr. Royer stated this is to surplus city owned property frontage that is located by Southwest Missouri Bank.

Mayor Davidson thanked Mr. Royer for taking the time to ensure this is handled the right way.

Roll call vote:

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

Motion carried.

Consider approval of Missouri Development Finance Board disbursement request.

Mr. Daniel stated this is for approval of reimbursements from Missouri Development Finance Board related to the resurfacing of alleyways adjacent to the city downtown square.

Discussion followed.

Motion to approve disbursement request for work done by the City of Neosho and authorize Mayor to execute by Councilman Collinsworth and seconded by Mayor Davidson

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Roll call vote:

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

Motion carried

Consider approval of Brooks Grease Service agreement.

Mr. Daniel stated this is to provide a service of collecting cooking grease products at the recycle center.

Discussion followed.

Motion to approve agreement between City of Neosho and Brooks Grease Service and authorize Mayor to execute by Councilman Collinsworth and seconded by Councilman Workman

Roll call vote:

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

Motion carried

Consider approval of RFB Construction Company Change Order #1 for the Hatchery Trail Project. STP-3397(404)

Mr. Daniel stated this change order reflects an increased project time frame of 23 calendar days due to inclement weather and holidays.

Motion to approve Change Order Number 1 between the City of Neosho and RFB Construction Company and authorize Mayor to execute by Councilman Collinsworth and seconded by Workman

Roll call vote:

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

Motion carried.

Consider approval of Xerox Government Systems, LLC agreement for firehouse software

Fire Chief Mike Eads stated this agreement is for the yearly updates and maintenance services for the firehouse reporting software.

Motion to approve agreement between City of Neosho and Firehouse Software and authorize Mayor to execute 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.

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Consider approval of AM Pyrotechnics agreement.

Public Relations/Events Coordinator Wes Franklin stated this is an agreement for the bid approval rendered by council at the last meeting.

Motion to approve agreement between City of Neosho and AM Pyrotechnics and authorize Mayor to execute by Councilman Workman and seconded by Hart

Roll call vote:

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

Motion carried.

Consider approval of Darnell Racing Enterprises agreement.

Mr. Franklin reviewed the benefits of the Celebrate Neosho entertainment and recommended approval of the Darnell Racing Enterprises agreement for him to bring Flash Fire Jet Truck to perform.

Motion to approve agreement between City of Neosho and Darnell Racing Enterprises and authorize Mayor to execute by Councilman Collinworth and seconded by Workman

Roll call vote:

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

Motion carried.

Consider approval of KPM agreement.

Finance Director Pevahouse stated this is the engagement letter to approve KPM to conduct the City's audit services for the final year of the three year agreement. She further stated this service will be rebid for Fiscal Year 2015.

Motion to approve agreement between KPM and City of Neosho and authorize Mayor to execute by Councilman Workman and seconded by Mayor Davidson

Roll call vote:

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

Motion carried.

Consider approval Ozark Business Systems maintenance Agreement.

Mrs. Houdyshell reviewed the terms of the maintenance agreement.

Councilman Collinworth stated he was glad to see this was with a local business.

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Motion to approve agreement between Ozark Business Systems and City of Neosho and authorize Mayor to execute 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.

REPORT OF CITY OFFICERS

Police Department – 2014 Year End Report

Police Chief Kennedy reviewed the 2014 year end Police Department report including, but not limited to the following statements:

- Obtained grant funding;
- Crimes against persons were down in 2014 from 2013
- Overall crime reported to Police was 4% lower in 2014 than 2013

Mayor Davidson stated appreciation for the report and jobs well done.

City Manager – Attorney Fees

Mr. Royer reported an amount of \$21,046.49 in expenditures for attorney fees relating to the two lawsuits against the city.

City Manager – TDD Project

Mr. Royer stated the City received responses from MoDOT regarding the TDD Projects and recommended changes made by Allgeier, Martin & Associates, and the City's engineer. He informed council the bids are out and due back on the 27th to MoDOT then take to the Commission in early February for approval. He reminded council the plans were not provided until December.

Mayor Davidson confirmed the plans were not received by the City until late December. He stated the City has required the same thing from MoDOT regarding the TDD as it would any contractor that is going to build streets then owned by the City. He further commented the Missouri Statute states the TDD shall receive the City's approval.

Finance Director Daphne Pevahouse – Finance Report

Mrs. Pevahouse reviewed the financials pointing out the revenues are up year to date 20%.

Mayor Davidson stated it is great to see we have record numbers again this month.

Councilman Collinsworth stated reports on the National level shows consumer confidence and is happy to see sales tax numbers continuing to grow and new business coming to Neosho.

Duane Linch, Sanitary Director – Sanitary Survey

Mr. Linch gave an overview of the survey which is conducted every three years, including but not limited to the following:

1. Our water supply currently meets all public regulatory requirements.
2. Continue the leak surveys.
3. Recommended wash water tank at the treatment plant and Crowder Reservoir inspected.
4. Recommended that the powdered activated carbon feed system in Shoal Creek be revisited for new forms and methods for feeding this chemical.

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5. Recommend review and implementation of the public works director's April 14, 2014 memorandum as there is need for additional supporting documentation.
6. DOR congratulated the city for completing the task of remodeling, modernizing and upgrading its water treatment and distribution system.

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 20, 2015, Regular Session City Council meeting.

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

Mayor Davidson adjourned the regular session meeting at 8:01 p.m.

APPROVED:

NEOSHO CITY COUNCIL

Mayor

ATTEST:

City Clerk